



Treaty Series No. 29 (1951)

# Exchanges of Notes

between the Government of the United Kingdom  
of Great Britain and Northern Ireland  
and the Government of Israel

for the reciprocal extension of the periods  
of priority stipulated in Article 4 of  
the Industrial Property Convention  
of 2nd June, 1934

Tel Aviv, 10th December, 1950/25th January, 1951

*Presented by the Secretary of State for Foreign Affairs to Parliament  
by Command of His Majesty*

LONDON  
HIS MAJESTY'S STATIONERY OFFICE  
TWO PENCE NET

Cmd. 8216

**EXCHANGES OF NOTES BETWEEN THE GOVERNMENT OF  
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN  
IRELAND AND THE GOVERNMENT OF ISRAEL FOR THE  
RECIPROCAL EXTENSION OF THE PERIODS OF PRIORITY  
STIPULATED IN ARTICLE 4 OF THE INDUSTRIAL PROPERTY  
CONVENTION OF 2nd JUNE, 1934**

*Tel Aviv, 10th December, 1950/25th January, 1951*

No. 1

*His Majesty's Minister at Tel Aviv to the Israel Minister  
for Foreign Affairs*

*British Legation,*

*Tel Aviv, 10th December, 1950.*

Sir,

I HAVE the honour to inform your Excellency that His Majesty's Government in the United Kingdom believe that it would be convenient to enter into a bilateral arrangement with the Government of Israel to extend the periods of priority stipulated in Article 4 of the Industrial Property Convention of 1934<sup>(1)</sup> in respect of applications for the grant of patents or for the registration of trade marks or designs in one country based upon corresponding applications filed in the other country on or after 15th May, 1947, and before 31st December, 1949. Accordingly, His Majesty's Government in the United Kingdom are prepared, on condition of reciprocity, to take the necessary measures to provide that—

- (a) the time for making a Convention application in the United Kingdom for the protection of an invention, design or trade mark, for which protection was applied for in Israel (or Palestine) on or after 15th May, 1947, but before 31st December, 1949, to be extended up to 31st January, 1951;
- (b) where a Convention application is filed within an extension of the priority period under the provisions of paragraph (a), third parties who have *bona fide* commenced the exploitation of inventions or designs during the period of such extension may obtain a non-exclusive licence for exploitation. In default of agreement between the parties, the conditions of the licence shall be fixed by the Comptroller of the Patent Office;
- (c) where an application for protection has been made in the United Kingdom since 15th May, 1948, by a national of Israel who had previously applied for protection in Israel (or Palestine), and the applicant desires to claim priority of date for the pending application, then—
  - (i) if the complete specification has not been accepted it will be open to the applicant to make a Convention application either within the normal Convention period if it has not expired or within the extended time provided for in paragraph (a) and the documents filed with the pending application may be transferred to the new application:

(1) "Treaty Series No. 55 (1938)," Cmd. 5833.

- (ii) if the complete specification has been accepted or a patent has been granted, a new Convention application may be filed within the extended time provided for in paragraph (a) and then the Comptroller will refuse to seal a patent on the previous application or make an order for revocation of the existing patent.

I shall be grateful if, in acknowledging the receipt of this Note, your Excellency will confirm that corresponding facilities are available to British subjects making application for the grant of patents or for the registration of designs or trade marks in Israel. In that event, I propose that this Exchange of Notes should be considered as bringing the proposed bilateral arrangement into effect.

I have, &c.  
A. K. HELM.

No. 2

*The Israel Minister for Foreign Affairs to  
His Majesty's Minister at Tel Aviv*

*Ministry for Foreign Affairs,  
Hakiryah, 10th December, 1950.*

Sir,

I HAVE the honour to acknowledge receipt of your Excellency's Note of 10th December, 1950, which reads as follows:—

[As in No. 1]

I am glad to inform you that the Israel Government is in agreement with the text of the above Note and with the suggestion that your Excellency's Note under reference and this reply shall be regarded as constituting an agreement between the two Governments.

Please accept, &c.  
M. SHARETT.

No. 3

*His Majesty's Minister at Tel Aviv to the Israel Minister  
for Foreign Affairs*

*British Legation,  
Tel Aviv, 25th January, 1951.*

Sir,

I HAVE the honour to refer to my Note of 10th December, and to your Excellency's reply of the same date about the arrangements agreed upon by the Government of Israel and His Majesty's Government in the United Kingdom for the reciprocal extension of the periods of priority stipulated in Article 4 of the Industrial Property Convention of 1934<sup>(1)</sup>.

In order to provide reciprocal protection for patent applications made in January 1950, I have been instructed to propose to you that the arrangements agreed upon in the Exchange of Notes of 10th December should be carried out as if the words "and before 31st December, 1949," in the first paragraph of my Note and "but before 31st December, 1949," in sub-paragraph (a) were deleted. If your Excellency is able to agree to this proposal I suggest that this letter and your reply should be attached to our original Exchange of Notes with the effect of amending the agreement accordingly.

I avail, &c.  
A. K. HELM.

(1) "Treaty Series No. 55 (1938)," Cmd. 5833.

*The Israel Minister for Foreign Affairs to  
His Majesty's Minister at Tel Aviv*

*Ministry of Foreign Affairs,*

*Hakiryia, 25th January, 1951.*

Sir,

I HAVE the honour to acknowledge receipt of your Excellency's Note of 25th January, 1951, which reads as follows:—

[As in No. 3]

I am glad to inform you that the Israel Government is in agreement with the text of the above Note and with the suggestion that your Excellency's Note under reference and this reply shall be regarded as constituting an agreement between the two Governments.

Please accept, &c.

M. SHARETT.

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