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UNIVERSITY**

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FACULTY OF JURIDICAL SCIENCES

COURSE: BALLB/BBALLB/LLB

SEMESTER SUBJECT:

INTELLECTUAL PROPERTY RIGHTS

SUBJECT CODE:

BALLB808/BBALLB808/LLB 604

NAME OF FACULTY: PANKHURI SRIVASTAVA

Lecture-6



LECTURE 6: INTERNATIONAL CONVENTIONS: PARIS CONVENTION

The Paris Convention is one of the most comprehensive international instruments on industrial property. The convention applies to industrial property in the widest sense which includes patents, trademarks, industrial designs, geographical indications and the repression of unfair Intellectual Property Rights. It is one of the oldest international instruments in the field of intellectual property rights. Paris convention neither defines the rights it purports to protect nor prescribes any minimum standard of protection for these rights. The member nations are at liberty to provide for their own legal framework for the scope and the quality of right prescribed under the convention.

• History of Paris Convention

During the last century, before the existence of any international convention in the field of industrial property, it was difficult to obtain protection for industrial property rights in the various countries of the world because of the diversity of their laws. Moreover, patent applications had to be made roughly at the same time in all countries in order to avoid a publication in one country destroying the novelty of the invention in the other countries. These practical problems created a strong desire to overcome such difficulties. During the second half of the last century the development of a more internationally oriented flow of technology and the increase of international trade made harmonization of industrial property laws urgent in both the patent and the trademark field. When the Government of the Empire of Austria-Hungary invited the other countries to participate in an international exhibition of inventions held in 1873 at Vienna, participation was hampered by the fact that many foreign visitors were not willing to exhibit their inventions at that exhibition in view of the inadequate legal protection offered to exhibited inventions. The Congress of Vienna for Patent Reform was convened during the same year, 1873. It elaborated a number of principles on which an effective and useful patent system should be based, and urged governments “to bring about an international understanding upon patent protection as soon as possible.” As a follow-up to the Vienna Congress, an International Congress on Industrial Property was convened at Paris in 1878. The Conference adopted a draft convention which contained in essence the substantive provisions that today are still the main features of the Paris Convention. The Conference was convened in Paris in 1883, which ended with final approval and signature of the Paris Convention for the Protection of Industrial Property. The Paris Convention was signed by 11 States. It was only during the first quarter of the 20th century and then particularly after World War II that the Paris Convention^{14]} Intellectual Property Rights increased its membership more significantly. The Paris Convention has been revised from time to time after its signature in 1883.