Article 1 - Establishment of a Special Union; Adoption of an International Classification

1) The countries to which this Agreement applies constitute a Special Union.
2) They adopt a single classification for industrial designs (hereinafter designated as "the international classification").
3) The international classification shall comprise:
   i) a list of classes and subclasses;
   ii) an alphabetical list of goods in which industrial designs are incorporated, with an indication of the classes and subclasses into which they fall;
   iii) explanatory notes.
4) The list of classes and subclasses is the list annexed to the present Agreement, subject to such amendments and additions as the Committee of Experts set up under Article 3 (hereinafter designated as "the Committee of Experts") may make to it.
5) The alphabetical list of goods and the explanatory notes shall be adopted by the Committee of Experts in accordance with the procedure laid down in Article 3.
6) The international classification may be amended or supplemented by the Committee of Experts, in accordance with the procedure laid down in Article 3.
7)a) The international classification shall be established in the English and French languages.
   b) Official texts of the international classification, in such other languages as the Assembly referred to in Article 5 may designate, shall be established, after consultation with the interested Governments, by the International Bureau of Intellectual Property (hereinafter designated as "the International Bureau") referred to in the Convention Establishing the World Intellectual Property Organization (hereinafter designated as "the Organization").

Article 2 - Use and Legal Scope of the International Classification
1) Subject to the requirements prescribed by this Agreement, the international classification shall be solely of an administrative character. Nevertheless, each country may attribute to it the legal scope which it considers appropriate. In particular, the international classification shall not bind the countries of the Special Union as regards the nature and scope of the protection afforded to the design in those countries.

2) Each country of the Special Union reserves the right to use the international classification as a principal or as a subsidiary system.

3) The Offices of the countries of the Special Union shall include in the official documents for the deposit or registration of designs, and, if they are officially published, in the publications in question, the numbers of the classes and subclasses of the international classification into which the goods incorporating the designs belong.

4) In selecting terms for inclusion in the alphabetical list of goods, the Committee of Experts shall exercise reasonable care to avoid using terms in which exclusive rights may exist. The inclusion of any word in the alphabetical index, however, is not an expression of opinion of the Committee of Experts on whether or not it is subject to exclusive rights.

Article 3 - Committee of Experts

1) A Committee of Experts shall be entrusted with the tasks referred to in Article 1(4) to Article 1(6). Each country of the Special Union shall be represented on the Committee of Experts, which shall be organized according to rules of procedure adopted by a simple majority of the countries represented.

2) The Committee of Experts shall adopt the alphabetical list and explanatory notes by a simple majority of the votes of the countries of the Special Union.

3) Proposals for amendments or additions to the international classification may be made by the Office of any country of the Special Union or by the International Bureau. Any proposal emanating from an Office shall be communicated by that Office to the International Bureau. Proposals from Offices and from the International Bureau shall be transmitted by the latter to
the members of the Committee of Experts not later than two months before
the session of the Committee at which the said proposals are to be
considered.

4) The decisions of the Committee of Experts concerning the adoption of
amendments and additions to be made in the international classification shall
be by a simple majority of the countries of the Special Union. Nevertheless, if
such decisions entail the setting up of a new class or any transfer of goods
from one class to another, unanimity shall be required.

5) Each expert shall have the right to vote by mail.

6) If a country does not appoint a representative for a given session of the
Committee of Experts, or if the expert appointed has not expressed his vote
during the session or within a period to be prescribed by the rules of
procedure of the Committee of Experts, the country concerned shall be
considered to have accepted the decision of the Committee.

**Article 4 - Notification and Publication of the Classification and of
Amendments and Additions Thereto**

1) The alphabetical list of goods and the explanatory notes adopted by the
Committee of Experts, as well as any amendment or addition to the
international classification decided by the Committee, shall be communicated
to the Offices of the countries of the Special Union by the International
Bureau. The decisions of the Committee of Experts shall enter into force as
soon as the communication is received. Nevertheless, if such decisions entail
the setting up of a new class or any transfer of goods from one class to
another, they shall enter into force within a period of six months from the date
of the said communication.

2) The International Bureau, as depositary of the international classification,
shall incorporate therein the amendments and additions which have entered
into force. Announcements of the amendments and additions shall be
published in the periodicals to be designated by the Assembly.

**Article 5 - Assembly of the Special Union**
1)a) The Special Union shall have an Assembly consisting of the countries of the Special Union.
b) The Government of each country of the Special Union shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts.
c) The expenses of each delegation shall be borne by the Government which has appointed it.

2)a) Subject to the provisions of Article 3, the Assembly shall:
   i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement;
   ii) give directions to the International Bureau concerning the preparation for conferences of revision;
   iii) review and approve the reports and activities of the Director General of the Organization (hereinafter designated as "the Director General") concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union;
   iv) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;
   v) adopt the financial regulations of the Special Union;
   vi) decide on the establishment of official texts of the international classification in languages other than English and French;
   vii) establish, in addition to the Committee of Experts set up under Article 3, such other committees of experts and working groups as it deems appropriate to achieve the objectives of the Special Union;
   viii) determine which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;
   ix) adopt amendments to Articles 5 to Article 8;
   x) take any other appropriate action designed to further the objectives of the Special Union;
   xi) perform such other functions as are appropriate under this Agreement.
b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.

3) a) Each country member of the Assembly shall have one vote.
b) One-half of the countries members of the Assembly shall constitute a quorum.
c) Notwithstanding the provisions of Subparagraph b, if, in any session, the number of countries represented is less than one-half but equal to or more than one-third of the countries members of the Assembly, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the conditions set forth hereinafter are fulfilled. The International Bureau shall communicate the said decisions to the countries members of the Assembly which were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of countries having thus expressed their vote or abstention attains the number of countries which was lacking for attaining the quorum in the session itself, such decisions shall take effect provided that at the same time the required majority still obtains.
d) Subject to the provisions of Article 8(2), the decisions of the Assembly shall require two-thirds of the votes cast.
e) Abstentions shall not be considered as votes.
f) A delegate may represent, and vote in the name of, one country only.

4) a) The Assembly shall meet once in every second calendar year in ordinary session upon convocation by the Director General and, in the absence of exceptional circumstances, during the same period and at the same place as the General Assembly of the Organization.
b) The Assembly shall meet in extraordinary session upon convocation by the Director General, at the request of one-fourth of the countries members of the Assembly.
c) The agenda of each session shall be prepared by the Director General.

5) The Assembly shall adopt its own rules of procedure.
**Article 6 - International Bureau**

1) a) Administrative tasks concerning the Special Union shall be performed by the International Bureau.

b) In particular, the International Bureau shall prepare the meetings and provide the secretariat of the Assembly, the Committee of Experts, and such other committees of experts and working groups as may have been established by the Assembly or the Committee of Experts.

c) The Director General shall be the chief executive of the Special Union and shall represent the Special Union.

2) The Director General and any staff member designated by him shall participate, without the right to vote, in all meetings of the Assembly, the Committee of Experts, and such other committees of experts or working groups as may have been established by the Assembly or the Committee of Experts. The Director General, or a staff member designated by him, shall be ex officio secretary of those bodies.

3) a) The International Bureau shall, in accordance with the directions of the Assembly, make the preparations for the conferences of revision of the provisions of the Agreement other than Article 5 to Article 8.

b) The International Bureau may consult with intergovernmental and international non-governmental organizations concerning preparations for conferences of revision.

c) The Director General and persons designated by him shall take part, without the right to vote, in the discussions at those conferences.

4) The International Bureau shall carry out any other tasks assigned to it.

**Article 7 - Finances**

1) a) The Special Union shall have a budget.

b) The budget of the Special Union shall include the income and expenses proper to the Special Union, its contribution to the budget of expenses common to the Unions, and, where applicable, the sum made available to the budget of the Conference of the Organization.
c) Expenses not attributable exclusively to the Special Union but also to one or more other Unions administered by the Organization shall be considered as expenses common to the Unions. The share of the Special Union in such common expenses shall be in proportion to the interest the Special Union has in them.

2) The budget of the Special Union shall be established with due regard to the requirements of coordination with the budgets of the other Unions administered by the Organization.

3) The budget of the Special Union shall be financed from the following sources:
   i) contributions of the countries of the Special Union;
   ii) fees and charges due for services rendered by the International Bureau in relation to the Special Union;
   iii) sale of, or royalties on, the publications of the International Bureau concerning the Special Union;
   iv) gifts, bequests, and subventions;
   v) rents, interests, and other miscellaneous income.

4)a) For the purpose of establishing its contribution referred to in paragraph (3)(i), each country of the Special Union shall belong to the same class as it belongs to in the Paris Union for the Protection of Industrial Property, and shall pay its annual contributions on the basis of the same number of units as is fixed for that class in that Union.
   b) The annual contribution of each country of the Special Union shall be an amount in the same proportion to the total sum to be contributed to the budget of the Special Union by all countries as the number of its units is to the total of the units of all contributing countries.
   c) Contributions shall become due on the first of January of each year.
   d) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any organ of the Special Union if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. However, any organ of the Special Union may allow such a country to continue to exercise its right to vote in that organ if, and as
long as, it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.
e) If the budget is not adopted before the beginning of a new financial period, it shall be at the same level as the budget of the previous year, as provided in the financial regulations.
5) The amount of the fees and charges due for services rendered by the International Bureau in relation to the Special Union shall be established, and shall be reported to the Assembly, by the Director General.
6)a) The Special Union shall have a working capital fund which shall be constituted by a single payment made by each country of the Special Union. If the fund becomes insufficient, the Assembly shall decide to increase it.
b) The amount of the initial payment of each country to the said fund or of its participation in the increase thereof shall be a proportion of the contribution of that country for the year in which the fund is established or the decision to increase it is made.
c) The proportion and the terms of payment shall be fixed by the Assembly on the proposal of the Director General and after it has heard the advice of the Coordination Committee of the Organization.
7)a) In the headquarters agreement concluded with the country on the territory of which the Organization has its headquarters, it shall be provided that, whenever the working capital fund is insufficient, such country shall grant advances. The amount of those advances and the conditions on which they are granted shall be the subject of separate agreements, in each case, between such country and the Organization.
b) The country referred to in subparagraph (a) and the Organization shall each have the right to denounce the obligation to grant advances, by written notification. Denunciation shall take effect three years after the end of the year in which it has been notified.
8) The auditing of the accounts shall be effected by one or more of the countries of the Special Union or by external auditors, as provided in the financial regulations. They shall be designated, with their agreement, by the Assembly.
Article 8 - Amendment of Article 5 to Article 7

1) Proposals for the amendment of Article 5 to Article 7, and the present Article, may be initiated by any country of the Special Union or by the Director General. Such proposals shall be communicated by the Director General to the countries of the Special Union at least six months in advance of their consideration by the Assembly.

2) Amendments to the Articles referred to in paragraph (1) shall be adopted by the Assembly. Adoption shall require three-fourths of the votes cast, provided that any amendment to Article 5, and to the present paragraph, shall require four-fifths of the votes cast.

3) Any amendment to the Articles referred to in paragraph (1) shall enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General from three-fourths of the countries members of the Special Union at the time the amendment was adopted. Any amendment to the said Articles thus accepted shall bind all the countries which are members of the Special Union at the time the amendment enters into force, or which become members thereof at a subsequent date, provided that any amendment increasing the financial obligations of countries of the Special Union shall bind only those countries which have notified their acceptance of such amendment.

Article 9 - Ratification and Accession; Entry Into Force

1) Any country party to the Paris Convention for the Protection of Industrial Property which has signed this Agreement may ratify it, and, if it has not signed it, may accede to it.

2) Instruments of ratification and accession shall be deposited with the Director General.

3)a) With respect to the first five countries which have deposited their instruments of ratification or accession, this Agreement shall enter into force three months after the deposit of the fifth such instrument.
b) With respect to any other country, this Agreement shall enter into force three months after the date on which its ratification or accession has been notified by the Director General, unless a subsequent date has been indicated in the instrument of ratification or accession. In the latter case, this Agreement shall enter into force with respect to that country on the date thus indicated.

4) Ratification or accession shall automatically entail acceptance of all the clauses and admission to all the advantages of this Agreement.

**Article 10 - Force and Duration of the Agreement**

This Agreement shall have the same force and duration as the Paris Convention for the Protection of Industrial Property.

**Article 11 - Revision of Article 1 to Article 4 and Article 9 to Article 15**

1) Article 1 to Article 4 and Article 9 to Article 15 of this Agreement may be submitted to revision with a view to the introduction of desired improvements.

2) Every revision shall be considered at a conference which shall be held among the delegates of the countries of the Special Union.

**Article 12 - Denunciation**

1) Any country may denounce this Agreement by notification addressed to the Director General. Such denunciation shall affect only the country making it, the Agreement remaining in full force and effect as regards the other countries of the Special Union.

2) Denunciation shall take effect one year after the day on which the Director General has received the notification.

3) The right of denunciation provided by this Article shall not be exercised by any country before the expiration of five years from the date upon which it becomes a member of the Special Union.

**Article 13 - Territories**
The provisions of Article 24 of the Paris Convention for the Protection of Industrial Property shall apply to this Agreement.

**Article 14 - Signature, Languages, Notifications**

1) a) This Agreement shall be signed in a single copy in the English and French languages, both texts being equally authentic, and shall be deposited with the Government of Switzerland.

   b) This Agreement shall remain open for signature at Berne until June 30, 1969.

2) Official texts shall be established by the Director General, after consultation with the interested Governments, in such other languages as the Assembly may designate.

3) The Director General shall transmit two copies, certified by the Government of Switzerland, of the signed text of this Agreement to the Governments of the countries that have signed it and, on request, to the Government of any other country.

4) The Director General shall register this Agreement with the Secretariat of the United Nations.

5) The Director General shall notify the Governments of all countries of the Special Union of the date of entry into force of the Agreement, signatures, deposits of instruments of ratification or accession, acceptances of amendments to this Agreement and the dates on which such amendments enter into force, and notifications of denunciation.

**Article 15 - Transitional Provision**

Until the first Director General assumes office, references in this Agreement to the International Bureau of the Organization or to the Director General shall be deemed to be references to the United International Bureaux for the Protection of Intellectual Property (BIRPI) or its Director, respectively.
Annex - List of Classes and Subclasses of the International Classification

Sixth Edition (as in force from January 1, 1994)

Class 01

Foodstuffs

01 Bakers' products, biscuits, pastry, macaroni and other cereal products, chocolates, confectionery, ices
02 Fruit and vegetables
03 Cheeses, butter and butter substitutes, other dairy produce
04 Butchers' meat (including pork products), fish
05 [vacant]
06 Animal foodstuffs
99 Miscellaneous

Class 02

Articles of Clothing and Haberdashery

01 Undergarments, lingerie, corsets, brassieres, nightwear
02 Garments
03 Headwear
04 Footwear, socks and stockings
05 Neckties, scarves, neckerchiefs and handkerchiefs
06 Gloves
07 Haberdashery and clothing accessories
99 Miscellaneous

Class 03
Travel Goods, Cases, Parasols and Personal Belongings, Not Elsewhere Specified

01 Trunks, suitcases, briefcases, handbags, keyholders, cases specially designed for their contents, wallets and similar articles
02 [vacant]
03 Umbrellas, parasols, sunshades and walking sticks
04 Fans
99 Miscellaneous

Class 04

Brushware

01 Brushes and brooms for cleaning
02 Toilet brushes, clothes brushes and shoe brushes
03 Brushes for machines
04 Paintbrushes, brushes for use in cooking
99 Miscellaneous

Class 05

Textile Piecegoods, Artificial and Natural Sheet Material

01 Spun articles
02 Lace
03 Embroidery
04 Ribbons, braids and other decorative trimmings
05 Textile fabrics
06 Artificial or natural sheet material
99 Miscellaneous
Class 06

Furnishing

01 Beds and seats
02 [vacant]
03 Tables and similar furniture
04 Storage furniture
05 Composite furniture
06 Other furniture and furniture parts
07 Mirrors and frames
08 Clothes hangers
09 Mattresses and cushions
10 Curtains and indoor blinds
11 Carpets, mats and rugs
12 Tapestries
13 Blankets and other covering materials, household linen and napery
99 Miscellaneous

Class 07

Household Goods, Not Elsewhere Specified

01 China, glassware, dishes and other articles of a similar nature
02 Cooking appliances, utensils and containers
03 Tables knives, forks and spoons
04 Appliances and utensils, hand-manipulated, for preparing food or drink
05 Flatirons and washing, cleaning and drying equipment
06 Other table utensils
07 Other household receptacles
08 Fireplace implements
99 Miscellaneous
Class 08

Tools and Hardware

01 Tools and implements for drilling, milling or digging
02 Hammers and other similar tools and implements
03 Cutting tools and implements
04 Screwdrivers and other similar tools and implements
05 Other tools and implements
06 Handles, knobs and hinges
07 Locking or closing devices
08 Fastening, supporting or mounting devices not included in other Classes
09 Metal fittings and mountings for doors, windows and furniture, and similar articles
10 Bicycle racks
99 Miscellaneous

Class 09

Packages and Containers for the Transport or Handling of Goods

01 Bottles, flasks, pots, carboys, demijohns, and containers with dynamic dispensing means
02 Storage cans, drums and casks
03 Boxes, cases, containers, (preserve) tins or cans
04 Hampers, crates and baskets
05 Bags, sachets, tubes and capsules
06 Ropes and hooping materials
07 Closing means and attachments
08 Pallets and platforms for forklifts
09 Refuse and trash containers and stands therefor
99 Miscellaneous

Class 10

Clocks and Watches and Other Measuring Instruments, Checking and Signalling Instruments

01 Clocks and alarm clocks
02 Watches and wrist watches
03 Other time-measuring instruments
04 Other measuring instruments, apparatus and devices
05 Instruments, apparatus and devices for checking, security or testing
06 Signalling apparatus and devices
07 Casings, dials, hands and all other parts and accessories of instruments for measuring, checking and signalling
99 Miscellaneous

Class 11

Articles of Adornment

01 Jewellery
02 Trinkets, table, mantel and wall ornaments, flower vases and pots
03 Medals and badges
04 Artificial flowers, fruit and plants
05 Flags, festive decorations
99 Miscellaneous

Class 12

Means of Transport or Hoisting
01 Vehicles drawn by animals
02 Handcarts, wheelbarrows
03 Locomotives and rolling stock for railways and all other rail vehicles
04 Telpher carriers, chair lifts and ski lifts
05 Elevators and hoists for loading or conveying
06 Ships and boats
07 Aircraft and space vehicles
08 Motor cars, buses and lorries
09 Tractors
10 Road vehicle trailers
11 Cycles and motorcycles
12 Perambulators, invalid chairs, stretchers
13 Special-purpose vehicles
14 Other vehicles
15 Tyres and anti-skid chains for vehicles
16 Parts, equipment and accessories for vehicles, not included in other Classes or sub Classes
99 Miscellaneous

Class 13

Equipment for Production, Distribution or Transformation of Electricity

01 Generators and motors
02 Power transformers, rectifiers, batteries and accumulators
03 Equipment for distribution or control of electric power
99 Miscellaneous

Class 14
Recording, Communication or Information Retrieval Equipment

01 Equipment for the recording or reproduction of sounds or pictures
02 Data processing equipment as well as peripheral apparatus and devices
03 Communications equipment, wireless remote controls and radio amplifiers
99 Miscellaneous

Class 15

Machines, Not Elsewhere Specified

01 Engines
02 Pumps and compressors
03 Agricultural machinery
04 Construction machinery
05 Washing, cleaning and drying machines
06 Textile, sewing, knitting and embroidering machines including their integral parts
07 Refrigeration machinery and apparatus
08 [vacant]
09 Machine tools, abrading and founding machinery
99 Miscellaneous

Class 16

Photographic, Cinematographic and Optical Apparatus

01 Photographic cameras and film cameras
02 Projectors and viewers
03 Photocopying apparatus and enlargers
04 Developing apparatus and equipment
05 Accessories
06 Optical articles
99 Miscellaneous

Class 17

Musical Instruments

01 Keyboard instruments
02 Wind instruments
03 Stringed instruments
04 Percussion instruments
05 Mechanical instruments
99 Miscellaneous

Class 18

Printing and Office Machinery

01 Typewriters and calculating machines
02 Printing machines
03 Type and type faces
04 Bookbinding machines, printers' stapling machines, guillotines and trimmers (for bookbinding)
99 Miscellaneous

Class 19

Stationery and Office Equipment, Artists' and Teaching Materials
01 Writing paper, cards for correspondence and announcements
02 Office equipment
03 Calendars
04 Books and other objects of similar outward appearance
05 [vacant]
06 Materials and instruments for writing by hand, for drawing, for painting, for sculpture, for engraving and for other artistic techniques
07 Teaching materials
08 Other printed matter
99 Miscellaneous

Class 20

Sales and Advertising Equipment, Signs

01 Automatic vending machines
02 Display and sales equipment
03 Signs, signboards and advertising devices
99 Miscellaneous

Class 21

Games, Toys, Tents and Sports Goods

01 Games and toys
02 Gymnastics and sports apparatus and equipment
03 Other amusement and entertainment articles
04 Tents and accessories thereof
99 Miscellaneous

Class 22
Arms, Pyrotechnic Articles, Articles for Hunting, Fishing and Pest Killing

01 Projectile weapons
02 Other weapons
03 Ammunition, rockets and pyrotechnic articles
04 Targets and accessories
05 Hunting and fishing equipment
06 Traps, articles for pest killing
99 Miscellaneous

Class 23


01 Fluid distribution equipment
02 Sanitary appliances
03 Heating equipment
04 Ventilation and air-conditioning equipment
05 Solid fuel
99 Miscellaneous

Class 24

Medical and Laboratory Equipment

01 Apparatus and equipment for doctors, hospitals and laboratories
02 Medical instruments, instruments and tools for laboratory use
03 Prosthetic articles
04 Materials for dressing wounds, nursing and medical care
99 Miscellaneous

Class 25

Building Units and Construction Elements

01 Building materials
02 Prefabricated or pre-assembled building parts
03 Houses, garages and other buildings
04 Steps, ladders and scaffolds
99 Miscellaneous

Class 26

Lighting Apparatus

01 Candlesticks and candelabra
02 Torches and hand lamps and lanterns
03 Public lighting fixtures
04 Luminous sources, electrical or not
05 Lamps, standard lamps, chandeliers, wall and ceiling fixtures, lampshades, reflectors, photographic and cinematographic projector lamps
06 Luminous devices for vehicles
99 Miscellaneous

Class 27

Tobacco and Smokers' Supplies

01 Tobacco, cigars and cigarettes
02 Pipes, cigar and cigarette holders
03 Ashtrays
04 Matches
05 Lighters
06 Cigar cases, cigarette cases, tobacco jars and pouches
99 Miscellaneous

**Class 28**

**Pharmaceutical and Cosmetic Products, Toilet Articles and Apparatus**

01 Pharmaceutical products
02 Cosmetic products
03 Toilet articles and beauty parlor equipment
04 Wigs, false hairpieces
99 Miscellaneous

**Class 29**

**Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue**

01 Devices and equipment against fire hazards
02 Devices and equipment for accident prevention and for rescue, not elsewhere specified
99 Miscellaneous

**Class 30**

**Articles for the Care and Handling of Animals**

01 Animal clothing
02 Pens, cages, kennels and similar shelters
03 Feeders and waterers
04 Saddlery
05 Whips and prods
06 Beds and nests
07 Perches and other cage attachments
08 Markers, marks and shackles
09 Hitching posts
99 Miscellaneous

Class 31

Machines and Applicances for Preparing Food or Drink, Not Elsewhere Specified

00 Machines and appliances for preparing food or drink, not elsewhere specified

Class 99

Miscellaneous

00 Miscellaneous