

BR/GT II/25 e/72

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INTER-GOVERNMENTAL CONFERENCE
FOR THE SETTING UP OF A EUROPEAN
SYSTEM FOR THE GRANT OF PATENTS

Brussels, 27 April 1972

BR/GT II/25/72

- Secretariat -

WORKING PARTY II

Brussels, from 24 to 28 April 1972

WORKING DOCUMENT

PROTOCOL ON PRIVILEGES AND IMMUNITIES
OF THE EUROPEAN PATENT ORGANISATION

Preamble

Articles 1
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(Texts drawn up by the Drafting Committee)

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Protocol on privileges and immunities
of the European Patent Organisation

The States parties to the Convention establishing a European System for the Grant of Patents, signed at
....., on, hereinafter referred to as the Convention, and parties to this Protocol;

desirous of defining the privileges and immunities which the European Patent Organisation, its employees and certain categories of persons taking part in its work shall enjoy in the territory of those States, in accordance with Article 8 of the Convention,

have agreed as follows:

Article 1

(1) The premises of the European Patent Organisation - hereinafter referred to as the Organisation - shall be inviolable notwithstanding the provisions of Article 20.

(2) The authorities of the State in which the Organisation is established shall not enter the premises of that Organisation, except with the consent of the President of the European Patent Office or of his designee. Such consent may be assumed in case of fire or other disaster requiring prompt preventive action.

(3) Service of process of the premises of the Organisation and of any other procedural instruments relating to a cause of action against the Organisation shall not constitute breach of inviolability.

Article 2

The archives of the Organisation and the documents in general belonging to or held by it shall be inviolable.

Article 2a

The provisions of Articles 1 and 2 shall apply mutatis mutandis to the branches of the Organisation.

Article 4

(1) In the exercise of its official activities the Organisation and its property and income shall be exempt from all direct taxes.

(2) Where substantial purchases which are strictly necessary for the exercise of its official activities, and in the price of which taxes or duties are included, are made by or on behalf of the Organisation, appropriate measures shall, whenever possible, be taken by the Governments of the States parties to the Convention to reimburse to the Organisation or to remit the amount of such taxes or duties.

(3) No exemption shall be accorded in respect of duties and taxes which are no more than charges for public utility services.

Article 5

Goods imported or exported by the Organisation and strictly necessary for the exercise of its official activities shall be

exempt from duties and charges on import or export other than fees or taxes representing services rendered, and from all prohibitions and restrictions on import or export.
