

BR/GT IV/47 e/72

Travaux Préparatoires CBE 1973

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

Brussels, 14 February 1972
BR/GT IV/47/72

- Secretariat -

NOTE

Subject: Special financial contributions under Article 41,
sub-paragraph (c), and Article 44 of the Second
Preliminary Draft Convention.

Drawn up by: Liechtenstein delegation

BR/GT IV/47 e/72 eld/AV/prk

Note from the Liechtenstein delegation
concerning the

special financial contributions under Article 41, sub-paragraph (c), and Article 44 of the Second Preliminary Draft Convention

The Liechtenstein delegation has taken note of Articles 41, sub-paragraph (c), and 44 of the Second Preliminary Draft and the report by Working Party IV on the financing of the European Patent Office, dated 16 November 1970 (BR/57/70), together with the Annexes thereto.

With regard to Section IX, page 53 et seq. of this report, it would like to draw attention to the fact that the principles laid down in Article 44, paragraph 3, 1st and 2nd variants for drawing up a scale of contributions are not applicable to the Principality of Liechtenstein, since the Liechtenstein Intellectual Property Office has no patent department at present, with the result that no patent applications can be filed in the Principality. The special case whereby applications filed in Switzerland at the Federal Patent Office automatically become valid for the Principality of Liechtenstein also by reason of a transitional clause adopted by Liechtenstein applies to patent law, although not to the other fields of industrial property protection.

Consequently, the figures, for foreign patent applications filed in Switzerland, given in Annexes No. 26 to 28 (BR/57/70), include those for the Principality of Liechtenstein, - on the

other hand all domestic and foreign patent applications shown for Switzerland are also valid for the Principality.

Generally speaking, the latter fact should not be construed to mean that when a separate Liechtenstein Patent Office is established, all foreign applications filed in Switzerland would still be filed in Liechtenstein also, since it can be assumed that the principal aim of filing applications in Switzerland is to obtain protection or priority in Switzerland and not specifically in the Principality of Liechtenstein.

The Liechtenstein delegation requests the Secretariat of the Inter-Governmental Conference to bring these circumstances to the notice of the Chairman of Working Party IV and to ask him to be so good as to take them into account where appropriate in the course of the Working Party's subsequent discussions.

The Liechtenstein delegation also takes this opportunity to submit the additional information contained in the Annex.

The Liechtenstein delegation will, furthermore, be glad to provide on request any additional information available to it, and is also prepared to discuss the matter further at any time with the Chairman of Working Party IV of the Inter-Governmental Conference.

ANNEX

1. Population of Switzerland on 1.12.70 6,269,800
Population of the Principality of
Liechtenstein on 1.12.1970 22,105

2. Gross per capita income (calculated according to OECD
principles)

Liechtenstein : Switzerland

1 : 1

N.B. This ratio is also applied in calculating the
proportion to be paid to the Principality of
Liechtenstein from the revenue of the Swiss Confedera-
tion from customs, duties and trade turnover tax,
which is calculated as follows:

Total revenue x population of Liechtenstein

Total population of Liechtenstein + Switzerland

3. Patent applications filed with the Swiss Patent Office from
the Principality of Liechtenstein in the years 1968 to 1971:

Year	Total	Applicants from Switzerland		Applicants from Liechtenstein	
1968	19537	5928	30 %	132	0.67 %
1969	19524	5850	30 %	136	0.69 %
1970	19406	5927	31 %	157	0.80 %
1971	19269	6141	32 %	139	0.72 %
1968-1971	77736	23846	31 %	564	0.72 %

