

WORLD TRADE
ORGANIZATION

IP/N/1/CHE/1

5 March 1996

(96-0793)

**Council for Trade-Related Aspects
of Intellectual Property Rights**

Original: French

NOTIFICATION OF LAWS AND REGULATIONS UNDER
ARTICLE 63.2 OF THE AGREEMENT

Switzerland

The following communication, dated 31 January 1996, has been received from the Permanent Mission of Switzerland.

In accordance with Article 63.2 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the procedures laid down by the Council for TRIPS in November 1995, Switzerland hereby notifies to the Council laws and regulations relating to the fields covered by the Agreement. The laws and regulations in question are listed in the annex below in tabular form. Following the agreed procedure, two copies of each of the texts referred to in the lists have been submitted.

The laws and regulations have been submitted in French, which is one of the official languages of Switzerland. It may be noted that the World Intellectual Property Organization (WIPO) is in possession of the German and Italian versions of the texts hereby notified, some of which it has also translated into English. Several texts have been - or are about to be - published by the WIPO under the sections "Industrial Property Laws and Treaties" and "Copyright and Neighbouring Rights Laws and Treaties" of the Industrial Property and Copyright Review. Texts available in English are indicated by an asterisk (*).

The national treatment provided for in the TRIPS Agreement was granted to WTO Members on 1 July 1995, the date on which the ratification of the Marrakesh Agreement by Switzerland came into effect.

ANNEX
to the Notification by Switzerland in Accordance with Article 63.2 of the Agreement

Lists of Laws and Regulations

1. The principal laws and regulations in the field of intellectual property contain rules concerning certain fundamental principles, the existence, scope and exercise of intellectual property rights (Parts I and II of the TRIPS Agreement) and rules regarding the means of enforcing these rights (Part III) and the acquisition and maintenance of the latter (Part IV).
2. Amendments introduced to laws and regulations in connection with the implementation of the TRIPS Agreement are indicated in italics and bold type.
3. The laws and regulations listed appear in two official compendia, the classified compendium (Recueil systématique - RS) in which texts are classified by sector, and the Official Gazette (Recueil officiel - RO) in which texts appear in the order of their publication, which generally takes place before their entry into effect.
4. It may be recalled that in respect of patents, Switzerland and the Principality of Liechtenstein constitute a single territory.¹
5. The 26 cantonal codes of procedure are referred to in the lists solely for information, to reflect the structure of the Swiss legal system. It was not thought necessary to attach copies of these codes to the lists.

List A: The principal laws and regulations concerning intellectual property

	<u>Page</u>
General laws and regulations exclusively concerning intellectual property	4
Copyright and related rights	5
Industrial or commercial trademarks (and service marks)	6
Geographical indications	7
Industrial designs	9
Patents (including protection of plant varieties)	10
Layout designs (topographies) of integrated circuits	12

¹Treaty of 22 December 1978 between Switzerland and the Principality of Liechtenstein on the protection accorded by patents, which entered into effect on 1 April 1980 (Treaty on Patents) (RSO.232.149.514). This Treaty was concluded in the context of the 1923 Customs Union Treaty between the two countries, and was supplemented by the Agreement of 2 November 1994, which entered into effect on 1 May 1995. These Treaties and Agreements were notified to the TRIPS Council on 27 December 1995 in accordance with the notification procedure laid down in Article 4(d) of the Agreement.

	<u>Page</u>
Protection of undisclosed information	13
Control of anti-competitive practices in licences	14
Enforcement of rights	15
Acquisition and maintenance of intellectual property rights and related <i>inter partes</i> procedures	17

List B: Other laws and regulations

Copyright and related rights	18
Trademarks or commercial marks (and service marks)	19
Geographical indications	20
Industrial designs	21
Patents (including the protection of plant varieties)	22
Layout designs (topographies) of integrated circuits	23
Protection of undisclosed information	23
Prevention of the improper use of intellectual property rights	24
Civil judicial procedures and remedies	25
Provisional judicial measures	27
Special requirements related to border measures	27
Criminal procedures	28
Other administrative procedures and remedies	29

LIST A**Principal Laws and Regulations Concerning Intellectual Property**

Title	Brief description
Dates of adoption and entry into effect	
<p>General laws and regulations exclusively concerning intellectual property¹</p> <p><u>Federal Law on the Statute and Tasks of the Federal Institute for Intellectual Property</u>; adopted on 24 March 1995, entered into effect on 1 January 1996 (LIPI; RS 172.010.31, RO 1995 5050)</p> <p><u>Ordinance on the Organization of the Federal Institute for Intellectual Property</u>; adopted on 25 October 1995, entered into effect on 1 January 1996 (OIFI; RS 172.010.311, RO 1995 5057)</p> <p><u>Ordinance on the Fees charged by the Federal Institute for Intellectual Property</u>; adopted on 25 October 1995, entered into effect on 1 January 1996 (OT-IPI; RS 232.148, RO 1995 5174)</p>	<p>The Federal Institute for Intellectual Property (IPI), established under public law, took over the tasks of the Federal Office for Intellectual Property on 1 January 1996.</p> <p>The entry into effect of the law establishing the Institute and the Ordinance on the fees charged by the latter required amendments to the legislation relating to trademarks, industrial designs, patents, copyright and neighbouring rights and the topographies of integrated circuits. The amendments to the laws concerning trademarks, industrial designs and patents are set out in the annex to the LIPI (RO 1995 5055-5056). As regards the other areas, the related amendments were introduced by Ordinance (see the corresponding lists). The amendments concern, among other things, provisions regarding fees and registration procedures.</p>

¹To be distributed under document symbols IP/N/1/CHE/0/1-2.

Title	
Dates of adoption and entry into effect	Brief description
<p>Copyright and related rights²</p> <p><u>Federal Law on Copyright and Neighbouring Rights</u>; adopted on 9 October 1992, entered into effect on 1 July 1993 (Art. 74(1): entered into effect on 1 January 1994) (LDA: RS 231.1, RO 1993 1798)*</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Arts. 75, 76 and 77; adopted on 16 December 1994, entered into effect on 1 July 1995 (RO 1995 1176)* <p><u>Ordinance on Copyright and Neighbouring Rights</u>; adopted on 26 April 1993, entered into effect on 1 July 1993 (ODAu; RS 231.11, RO 1993 1821)</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Arts. 18, 19 and 20; adopted on 17 May 1995, entered into effect on 1 July 1995 (RO 1995 1778) - Preamble, Arts. 4, 7, 8, 16, 21(a), 21(b), 21(c), 21(d), 21(e) and 21(f); adopted on 25 October 1995, entered into effect on 1 January 1996 (RO 1995 5152) <p><u>Ordinance on the Fees charged by the Federal Institute for Intellectual Property</u>; adopted on 25 October 1995, entered into effect on 1 January 1996 (OT-IPI; RS 232.148, RO 1995 5174)</p> <p><i>(See under List A: General laws and regulations exclusively concerned with intellectual property)</i></p>	<p>Definition of the work and its author, the existence, acquisition and scope of copyright and neighbouring rights, duration of protection, collecting societies (tariffs and monitoring), civil and criminal proceedings, customs measures, etc.</p> <p>Amendments in line with Arts. 51, 53 and 55 of the TRIPS Agreement</p> <p>Federal Arbitration Committee: management of copyright and neighbouring rights, customs measures, monitoring of collecting societies, etc.</p> <p>Amendments in line with Arts. 51, 53 and 55 of the TRIPS Agreement</p> <p>Amendments arising from the assumption by the Federal Institute for Intellectual Property on 1 January 1996 of the tasks of the Federal Office for Intellectual Property. Fixing of fees chargeable by the monitoring authority and the Federal Arbitration Committee in respect of the management of copyright and neighbouring rights.</p>

²To be distributed under document symbols IP/N/1/CHE/C/1-2 and IP/N/1/CHE/0/2.

Title	Brief description
Dates of adoption and entry into effect	
<p>Industrial or commercial trademarks (and service marks)³</p> <p><u>Federal Law on the Protection of Trademarks and Indications of Source</u>; adopted on 28 August 1992, entered into effect on 1 April 1993 (Art. 36: entered into effect on 1 January 1994) (LPM; RS 232.11, RO 1993 274)*</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Art. 72; adopted on 16 December 1994, entered into effect on 1 July 1995 (RO 1995 1781) - Arts. 10(2) and (4), 28(3) and (4), 40, 41(2), 43(2) and 45(2) <p><i>(See List A: General laws and regulations exclusively concerned with intellectual property, Annex to LIPI)</i></p> <p><u>Ordinance on the Protection of Trademarks</u>; adopted on 23 December 1992, entered into effect on 1 April 1993 (OPM: RS 232.111, RO 1993 296)*</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Art. 56; adopted on 17 May 1995, entered into effect on 1 July 1995 (RO 1995 1783) - Preamble, Arts. 1, 2, 7, 17(a), 18, 26, 33, 35, 41(a), 45, 46 and 47; adopted on 25 October 1995 and entered into effect on 1 January 1996 (RO 1995 5158) <p><u>Ordinance on the Fees charged by the Federal Institute for Intellectual Property</u>; adopted on 25 October 1995, entered into effect on 1 January 1996 (OT-IPI: RS 232.148, RO 1995 5174)</p> <p><i>(See List A: General laws and regulations exclusively concerned with intellectual property)</i></p>	<p>Definitions, existence of trade mark rights, guarantee marks and collective marks, national and international registration of marks, acquisition and scope of rights, opposition procedure, register of marks, civil and criminal law proceedings, administrative appeals procedure, customs measures, etc.</p> <p>Amendments in line with Arts. 53 and 55 of the TRIPS Agreement</p> <p>Amendments following the assumption by the Federal Institute for Intellectual Property on 1 January 1996 of the tasks of the Federal Office for Intellectual Property.</p> <p>National and international registration of marks, opposition procedures, register of marks, customs measures, etc.</p> <p>Amendments in line with Arts. 53 and 55 of the TRIPS Agreement</p> <p>Amendments following the assumption by the Federal Institute for Intellectual Property on 1 January 1996 of tasks of the Federal Office for Intellectual Property.</p>

³To be distributed under document symbols IP/N/1/CHE/T/1-2 and IP/N/1/CHE/0/2.

Title	Brief description
<p align="center">Dates of adoption and entry into effect</p>	<p align="center">Brief description</p>
<p>Geographical indications⁴</p> <p><u>Federal Law on the Protection of Marks and Indications of Source</u>; adopted on 28 August 1992, entered into effect on 1 April 1993 (LPM; RS 232.11, RO 1993 274)*</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Art. 72; adopted on 16 December 1994, entered into effect on 1 July 1995 (RO 1995 1781) <p><i>(See List A: Industrial or commercial trademarks and service marks)</i></p> <p><u>Ordinance on the Protection of Trademarks</u>; adopted on 23 December 1992, entered into effect on 1 April 1993 (OPM: RS 232.111, RO 1993 296)*</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Art. 56; adopted on 17 May 1995, entered into effect on 1 July 1995 (RO 1995 1783) <p><i>(See List A: Industrial or commercial trademarks and service marks)</i></p> <p><u>Ordinance on the Use of the Designation “Swiss” for Watches</u>; adopted on 23 December 1971, entered into effect on 1 January 1972 (RS 232.119, RO 1971 1915)</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Arts. 4, 5 and 6; adopted on 29 March 1995, entered into effect on 1 May 1995 (RO 1995 1218) <p><u>Federal law on the Improvement of Agriculture and the Preservation of Farming Populations</u>; adopted on 3 October 1951, the respective articles entered into effect between 1 January 1954 and 1 December 1962 (Law on Agriculture: RS 910.1, RO 1953 1095)</p>	<p>Definitions, protection and customs measures.</p> <p>Amendments in line with Articles 53 and 55 of the TRIPS Agreement</p> <p>Identification marks on watches, customs measures, etc.</p> <p>Amendments in line with Articles 51 and 53 of the TRIPS Agreement</p> <p>“Swiss made” watches, dials, movements, etc.</p>

⁴To be distributed under document symbols IP/N/1/CHE/T/1-2, IP/N/1/CHE/G/1-2 and IP/N/1/CHE/O/2.

Title	Brief description
Dates of adoption and entry into effect	
<p>Most recent amendments:</p> <ul style="list-style-type: none"> - Art. 18(c) <p><i>N.B.: Ordinance on the Protection of Appellations of Origin and Geographical Designations in respect of Agricultural Products and Processed Agricultural Products (in preparation)</i></p> <p><u>Ordinance on the Fees charged by the Federal Institute for Intellectual Property</u>; adopted on 25 October 1995, entered into effect on 1 January 1996 (OT-IPI; RS 232.148, RO 1995 5174)</p> <p><i>(See List A: Laws and regulations exclusively concerned with intellectual property)</i></p>	<p>Art. 18(c): Registration of indications of source and geographical designations (for agricultural and derived products). The time-limit for the referendum expires on 15 January 1996. Date of entry into effect to be determined.</p>

Title	Brief description
Dates of adoption and entry into effect	
<p>Industrial designs⁵</p> <p><u>Federal Law on Industrial Designs and Models</u>; adopted on 30 March 1900, entered into effect on 1 August 1900 (RS 232.12, RS 2 866)</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Arts. 14a-14e, 16, 25, 27, 28, 28a, 29, 31 and 33a-33c; adopted on 16 December 1994, entered into effect on 1 July 1995 (RO 1995 1784) - Arts. 10(1) and (2), 15(2) subparagraph 2, 22(2) <p><i>(See List A: General laws and regulations concerned exclusively with intellectual property; annex to LIPI)</i></p> <p><u>Ordinance on Industrial Designs</u>; adopted on 27 July 1900, entered into effect on 1 August 1900 (ODMI: RS 232.121, RS 2 874)</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Arts. 2, 5, 20 and 26-29c; adopted on 17 May 1995, entered into effect on 1 July 1995 (RO 1995 1789) - Preamble, Arts. 1, 2, 12, 13, 15, 20a, 24 and 32; adopted on 25 October 1925, entered into effect on 1 January 1996 (RO 1995 5161) <p><u>Ordinance on the Fees charged by the Federal Institute for Intellectual Property</u>; adopted on 25 October 1995, entered into effect on 1 January 1996 (OT-IPI: RS 232.148, RO 1995 5174)</p> <p><i>(See List A: General laws and regulations exclusively concerned with intellectual property)</i></p>	<p>Existence of the right to protection, registration of designs, scope and acquisition of rights, register of designs, civil and criminal proceedings, administrative remedies, etc.</p> <p>Right of priority, immunity deriving from disclosure.</p> <p>Provisional measures, penalties under criminal law, customs measures (amendments in line with Arts. 41, 46, 50, 51 ff and 61 of the TRIPS Agreement)</p> <p>Amendments following the assumption by the Federal Office for Intellectual Property on 1 January 1996 of the tasks of the Federal Office for Intellectual Property.</p> <p>Registration of designs and models, maintenance of register, etc.</p> <p>Right of priority and immunity deriving from disclosure.</p> <p>Customs measures (amendments in line with Art. 51 ff of the TRIPS Agreement)</p> <p>Amendments following the assumption by the Federal Institute for Intellectual Property on 1 January 1996 of the tasks of the Federal Office for Intellectual Property.</p>

⁵To be distributed under document symbols IP/N/1/CHE/D/1-2 and IP/N/1/CHE/O/2.

Title	
Dates of adoption and entry into effect	Brief description
<p>Patents (including the protection of plant varieties)⁶</p> <p><i>N.B.: In respect of patents, Switzerland and Liechtenstein constitute a single territory</i></p> <p><u>Federal Law on Patents for Inventions</u>; adopted on 25 June 1954, entered into effect on 1 January 1956 (Arts. 89(2), 90(2) and (3), 96(1) and (3), 101(1) and 105(3), entered into effect on 1 October 1959) (LBI, RS 232.14, RO 1955 893)*</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Arts. 2, 8, 29, 36, 37, 40, 40a, 40b, 69 and 77; adopted on 16 December 1994, entered into effect on 1 July 1995 (RO 1995 2606)* - Title, 7b, 17, 20a, 46a, 47, 48, 81, 87, 113, 119, 123, 131, 133, 134, 138, 140a-140m, 143, 146 and 147; adopted on 3 February 1995, entered into effect on 1 September 1995 (RO 1995 2879)* - Arts. 41, 42-44, 48(1a), 49(3) and (4), 55a, 59a(2), 96(1a), 97c, 98(2), 105(2) and 119 <p><i>(See List A: General laws and regulations exclusively concerned with intellectual property, annex to LIPI)</i></p> <p><u>Ordinance on Patents for Inventions</u>; adopted on 19 October 1977, entered into effect on 1 January 1978 (Titles 7, 8 and 9; entered into effect on 1 June 1978) (RS 232.141, RO 1977 2027)*</p>	<p>Existence of patent rights, national and European patents, international patent applications, acquisition and scope of rights, register of patents, civil and criminal proceedings, opposition procedure in prior examinations, administrative remedies, etc.</p> <p>Amendments in line with Arts. 27, 28, 31, 46, 50 and 61 of the TRIPS Agreement</p> <p>Supplementary protection certificates for medicines, more severe penalties under criminal law, annulment of prior examinations (Chapter II of the Patent Cooperation Treaty), further processing, etc.</p> <p>Amendments following the assumption by the Federal Institute for Intellectual Property on 1 January 1996 of the tasks of the Federal Office for Intellectual Property.</p> <p>Examination of applications for patents and issue of patents for inventions, right of priority, immunity deriving from an exhibition, administrative remedies, register of patents, applications for European patents and international applications, opposition procedure in prior examinations, etc.</p>

⁶To be distributed under document symbols IP/N/1/CHE/P/1-4 and IP/N/1/CHE/O/2.

Title	Brief description
<p>Dates of adoption and entry into effect</p>	
<p>Most recent amendments:</p> <ul style="list-style-type: none"> - Preamble, 4, 6, 14,15,17, 18, 20, 39, 39a, 40, 42, 43, 55, 61, 62, 62a, 63, 82, 11a, 119, 124, 125a, 125b, 126 and 127a-127m; adopted on 17 May 1995, entered into effect on 1 September 1995 (RO 1995 3660) - Preamble, Arts. 1, 3, 10, 12, 14, 16, 17, 17a, 18a-18d, 19, 19a, 20, 21, 24, 37, 38, 39, 39a, 43a, 48, 49, 51, 61, 61a, 62, 62a, 63, 69, 71, 90, 96, 103, 105, 106, 111-113, 118, 118a, 127b; adopted on 25 October 1995, entered into effect on 1 January 1996 (RO 1995 5164) <p><u>Ordinance on the Fees charged by the Federal Institute for Intellectual Property</u>; adopted on 25 October 1995, entered into effect on 1 January 1996 (OT-IPI: RS 232.148, RO 1995 5174)</p> <p><i>(See List A: General laws and regulations exclusively concerned with intellectual property)</i></p> <p><u>Federal Law on the Protection of New Plant Varieties</u>; adopted on 20 March 1975, entered into effect on 1 June 1977 (RS 232.16, RO 1977 862)*</p> <p><u>Ordinance on the Protection of Plant Varieties</u>; adopted on 11 May 1977, entered into effect on 1 June 1977 (RS 232.161; RO 1977 880)*</p> <p>Amendments:</p> <ul style="list-style-type: none"> - Arts. 41, 43, 44 and 46; adopted on 19 October 1994, entered into effect on 1 January 1995 (RO 1994 2370) <p><u>Ordinance on the Fees charged by the Plant Varieties Protection Bureau</u>; adopted on 20 October 1994, entered into effect on 1 January 1995 (RS 232.161.4, RO 1994 2723)</p>	<p>Right of priority, supplementary protection certificates for medicines, etc.</p> <p>Amendments following the assumption by the Federal Institute for Intellectual Property on 1 January 1996 of the tasks of the Federal Office for Intellectual Property.</p> <p>Existence of rights, acquisition and scope of rights, proceedings and penalties under civil and criminal law, provisional measures, etc.</p> <p>Protection certificates (application for protection and examination of the variety in question), administrative remedies, etc.</p>

Title	Brief description
Dates of adoption and entry into effect	
<p>Layout designs (topographies) of integrated circuits⁷</p> <p><u>Federal Law on the Protection of Topographies of Semi-conductor Products</u>; adopted on 9 October 1992, entered into effect on 1 July 1993 (Art. 17: 1 January 1994) (LTo; RS 231.2, RO 1993 1828)</p> <p><u>Ordinance on the Protection of Topographies of Semi-Conductor Products</u>; adopted on 26 April 1993, entered into effect on 1 July 1993 (OTo: RS 231.21, RO 1993 1834)</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Arts. 16, 17 and 18; adopted on 17 May 1995, entered into effect on 1 July 1995 (RO 1995 1779) - Preamble, Arts. 1, 3 and 12; adopted on 25 October 1995, entered into effect on 1 January 1996 (RO 1995 5156) <p><u>Ordinance on the Fees charged by the Federal Institute for Intellectual Property</u>; adopted on 25 October 1995, entered into effect on 1 January 1996 (OT-IPI: RS 232.148, RO 1995 5174)</p> <p><i>(See List A: General laws and regulations exclusively concerned with intellectual property)</i></p>	<p>Existence of protection rights, acquisition and scope of rights, duration of protection, civil and criminal proceedings, register of topographies, customs measures, etc.</p> <p>Registration of topographies, maintenance of register of topographies, customs measures.</p> <p>Amendments in line with Arts. 51, 53 and 55 of the TRIPS Agreement</p> <p>Amendments following the assumption by the Federal Institute for Intellectual Property on 1 January 1996 of the tasks of the Federal Office for Intellectual Property.</p>

⁷To be distributed under document symbols IP/N/1/CHE/L/1-2 and IP/N/1/CHE/O/2.

Title	
Dates of adoption and entry into effect	Brief description
<p>Protection of undisclosed information⁸</p> <p><u>Federal Law on Patents for Inventions</u>; adopted on 25 June 1954, entered into effect on 1 January 1956 (LBI: RS 232.14, RO 1955 893)*</p> <p><i>(See List A: Patents)</i></p> <p><u>Ordinance on Patents for Inventions</u>; adopted on 19 October 1977, entered into effect on 1 January 1978 (RS 232.141, RO 1977 2027)*</p> <p><i>(See List A: Patents)</i></p> <p><u>Order governing the Protection of Trademarks</u>; adopted on 23 December 1992, entered into effect on 1 April 1993 (OPM: RS 232.111, RO 1993 296)*</p> <p><i>(See List A: Industrial or commercial marks and service marks)</i></p> <p><u>Ordinance on the Protection of Topographies of Semi-Conductor Products</u>; adopted on 26 April 1993, entered into effect on 1 July 1993 (OTo: RS 231.21, RO 1993 1834)</p> <p><i>(See List A: Layout designs (topographies) of integrated circuits)</i></p>	<p>Art. 68: safeguarding of industrial or business secrets.</p> <p>Arts. 89 and 90: safeguarding of industrial or business secrets in application dossiers and in the patents register.</p> <p>Arts. 36(3) and 37(4): safeguarding of industrial or business secrets in application dossiers and in the register of marks.</p> <p>Art. 9: safeguarding of industrial and business secrets in application dossiers and in the register of topographies.</p>

⁸To be submitted under document symbols IP/N/1/CHE/P/1-2, IP/N/1/CHE/T/2, IP/N/1/CHE/L/2 and IP/N/1/CHE/U/1.

Title	Brief description
Dates of adoption and entry into effect	
<p><u>Federal Law on Unfair Competition</u>; adopted on 19 December 1986, entered into effect on 1 March 1988 (LCD: RS 241, RO 1988 223)*</p> <p>Most recent amendments:</p> <ul style="list-style-type: none"> - Arts. 3, 4, 13a and 15; adopted on 18 June 1993, entered into effect on 1 April 1994 (RO 1994 375) - Arts. 3b, 21, 22, 25 and 27; adopted on 24 March 1995, entered into effect on 1 November 1995 (RO 1995 4086) 	<p>Definition of unfair practices. Proceedings and penalties under civil and criminal law.</p> <p>Art. 4: incitement to infringe or terminate a contract.</p> <p>Art. 5(b): exploitation of the results of the work of others, knowing that the results in question were obtained or made accessible by improper means. Art. 6: betrayal of industrial or business secrets. Art. 15: safeguarding of industrial or business secrets (in civil law proceedings).</p> <p><i>N.B. The definition of industrial and business secrets has been developed by case law; it corresponds to that set out in Art. 39(1) of the TRIPS Agreement.</i></p>
<p>Control of anti-competitive practices in licences⁹</p>	
<p><u>Federal Law on Cartels and Similar Organizations</u>; adopted on 20 December 1985, entered into effect on 1 July 1986 (Law on Cartels, LCart: RS 251, RO 1986 874)</p>	<p>Definition of anti-competitive practices. Art. 44(3): reservation regarding the effects on competition arising exclusively from rights conferred by legislation on the protection of industrial property and copyright.</p>
<p>Amendments (complete revision): <u>Federal Law on Cartels and Other Impediments to Competition</u>; adopted on 6 October 1995, entry into effect planned for 1 July 1996</p>	<p>Art. 3(2): reservation regarding impediments to competition directly linked to intellectual property (see also Art. 6(1d)).</p> <p>Art. 5: unlawful practices in restraint of competition and agreements reputedly justified on grounds of economic efficiency.</p>
<p><u>Federal Law on Patents for Inventions</u>; adopted on 25 June 1954, entered into effect on 1 January 1956 (LBI: RS 232.14, RO 1955 893)*</p> <p>(See List A: Patents)</p>	<p>Art. 40a: in the field of semi-conductor technology, licensing is obligatory solely to counter a practice declared to be anti-competitive following a judicial or administrative procedure.</p>

⁹To be distributed under document symbols IP/N/1/CHE/O/3-4 and IP/N/1/CHE/P/1.

Title	Brief description
Dates of adoption and entry into effect	
<p>Enforcement of rights¹⁰</p> <p><u>Federal Law on Copyright and Neighbouring Rights</u>; adopted on 9 October 1992, entered into effect on 1 July 1993 (LDA: RS 231.1, RO 1993 1798)*</p> <p><i>(See List A: Copyright and connected rights)</i></p> <p><u>Ordinance on Copyright and Neighbouring Rights</u>; adopted on 26 April 1993, entered into effect on 1 July 1993 (ODAu: RS 231.11, RO 1993 1821)</p> <p><i>(See List A: Copyright and connected rights)</i></p> <p><u>Federal Law on the Protection of Trademarks and Indications of Source</u>; adopted on 28 August 1992, entered into effect on 1 April 1993 (LPM: RS 232.11, RO 1993 274)*</p> <p><i>(See List A: Trademarks or commercial marks and service marks)</i></p> <p><u>Ordinance on the Protection of Trademarks</u>; adopted on 23 December 1992, entered into effect on 1 April 1993 (OPM: RS 232.111, RO 1993 296)*</p> <p><i>(See List A: Trademarks or commercial marks and service marks)</i></p>	<p>Proceedings and penalties under civil and criminal law. Monitoring of collecting societies. Provisional measures. Customs measures.</p> <p>Protection of software. Customs measures.</p> <p>Proceedings and penalties under civil and criminal law. Provisional measures. Customs measures.</p> <p>Customs measures.</p>

¹⁰To be distributed under document symbols IP/N/1/CHE/1-2, IP/N/1/CHE/T/1-2, IP/N/CHE/D/1-2, IP/N/1/CHE/P/1, IP/N/CHE/L/1-2, IP/N/1/CHE/U/1 and IP/N/CHE/E/1.

Title	Brief description
Dates of adoption and entry into effect	
<p><u>Federal Law on Industrial Designs</u>; adopted on 30 March 1900, entered into effect on 1 August 1900 (RS 232.12, RS 2 866)</p> <p><i>(See List A: Industrial designs and models)</i></p>	<p>Proceedings and penalties under civil and criminal law. Provisional measures. Customs measures.</p>
<p><u>Regulation on Industrial Designs</u>; adopted on 27 July 1900, entered into effect on 1 August 1900 (ODMI: RS 232.121, RS 2 874)</p> <p><i>(See List A: Industrial designs and models)</i></p>	<p>Customs measures.</p>
<p><u>Federal Law on Patents for Inventions</u>; adopted on 25 June 1954, entered into effect on 1 January 1956 (LBI: RS 232.14, RO 1955 893)*</p> <p><i>(See List A: Patents)</i></p>	<p>Proceedings and penalties under civil and criminal law. Provisional measures.</p>
<p><u>Federal Law on the Protection of Topographies of Semi-Conductor Products</u>; adopted on 9 October 1992, entered into effect on 1 July 1993 (LTo: RS 231.2, RO 1993 1828)</p> <p><i>(See List A: Layout designs (topographies) of integrated circuits)</i></p>	<p>Proceedings and penalties under civil and criminal law. Customs measures.</p>
<p><u>Ordinance on the Protection of Topographies of Semi-Conductor Products</u>; adopted on 26 April 1993, entered into effect on 1 July 1993 (OTo: RS 231.21, RO 1993 1834)</p> <p><i>(See List A: Layout designs (topographies) of integrated circuits)</i></p>	<p>Customs measures.</p>

Title	Brief description
Dates of adoption and entry into effect	
<p><u>Federal Law on Unfair Competition</u>; adopted on 19 December 1986, entered into effect on 1 March 1988 (LCD: RS 241, RO 1988 223)*</p> <p><i>(See List A: Protection of information not divulged)</i></p> <p><u>Ordinance on the Right of the Confederation to Institute Proceedings in the Context of the Law on Unfair Competition</u>; adopted on 17 February 1993, entered into effect on 1 March 1993 (RS 241.3, RO 1993 1053)</p>	<p>Proceedings and penalties under civil and criminal law. Provisional measures.</p> <p>The Federal Office for Industry, Crafts and Trades and Labour (OFIAMT) represents the Confederation in civil and criminal proceedings based on Art. 10(2c) LCD.</p>
<p>Acquisition and maintenance of intellectual property rights and related <i>inter partes</i> procedures¹¹</p> <p><i>See, in particular, the laws and regulations referred to on pages 4, 6 and 8-12. See also List B.</i></p>	

¹¹To be distributed under document symbols IP/N/1/CHE/O/1-2, IP/N/1/CHE/T/1-2, IP/N/1/CHE/D/1-2, IP/N/1/CHE/P/1-4 and IP/N/1/CHE/L/1-2.

LIST B

Other Laws and Regulations

Title	
Dates of adoption and entry into effect	Brief description
<p>Copyright and related rights</p> <p><u>Swiss Code of Civil Law</u>; adopted on 10 December 1907, entered into effect on 1 January 1912 (CC: RS 210, RO 2 3)</p> <p><u>Federal Law supplementing the Swiss Code of Civil Law</u>; adopted on 30 March 1911, entered into effect on 1 January 1912 (Code of Obligations, CO: RS 220, RO 27 321)</p> <p><u>Federal Law on Unfair Competition</u>; adopted on 19 December 1986, entered into effect on 1 March 1988 (LCD: RS 241, RO 1988 223)*</p> <p><i>(See List A: Protection of information not divulged)</i></p>	<p>Arts. 27 and 28: Protection against excessive commitments and infringements (existence, scope, provisional actions and measures, execution).</p> <p>Art. 60 ff: Provisions governing associations. Certain collecting societies are established in the form of associations.</p> <p>Art. 380 ff: Provisions regarding publishing contracts (existence and scope of rights as regards transfers of copyright, the author’s power of disposal, translation rights and the publisher’s rights in respect of a work composed in accordance with his own plan).</p> <p>Art. 828 ff: Provisions governing cooperatives. In most cases, collecting societies are set up as cooperatives.</p> <p>Art. 3: Definition of unfair practices. Art. 5(c): Appropriating the result of the work of others via the use of reproduction techniques and exploiting it as it stands, without any corresponding input, constitutes an unfair practice (exploitation of the work of others).</p>

Title	
Dates of adoption and entry into effect	Brief description
<p>Trademarks or commercial marks (and service marks)</p> <p><u>Federal Law on the Protection of Coats of Arms and other Public Signs</u>; adopted on 5 June 1931, entered into effect on 1 February 1932 (RS 232.21, RS 2 928)</p> <p><u>Regulation implementing the Federal Law of 5 June 1931 on the Protection of Coats of Arms and Other Public Signs</u>; adopted on 5 January 1932, entered into effect on 1 February 1932 (RS 232.211, RS 2 936)</p> <p><u>Federal Law on the Protection of the Emblem and Name of the Red Cross</u>; adopted on 25 March 1954, entered into effect on 1 January 1955 (RS 232.22, RO 1954 1327)</p> <p><u>Federal Law on the Protection of the Names and Emblems of the United Nations Organization and other Intergovernmental Organizations</u>; adopted on 15 December 1961, entered into effect on 1 June 1962 (RS 232.23, RO 1962 461)</p> <p><u>Federal Law on Unfair Competition</u>; adopted on 19 December 1986, entered into effect on 1 March 1988 (LCD: RS 241, RO 1988 223)*</p> <p><i>(See List A: Protection of information not divulged)</i></p> <p><u>Federal Law on Foodstuffs and Objects in Everyday Use</u>; adopted on 9 October 1992, entered into effect on 1 July 1995 (Law on Foodstuffs, LDAI: RS 817.0, RO 1995 1469)</p>	<p>Registration of public signs as trademarks or commercial marks; restrictions. Protection of foreign coats of arms and other signs. Penalties.</p> <p>Registration as trademarks or commercial marks.</p> <p>Ban on the registration of the emblem and name of the Red Cross as a trademark or commercial mark.</p> <p>Ban on the registration as trademarks or commercial marks of the names and emblems of the United Nations Organization and other Intergovernmental Organizations.</p> <p>Art. 3(d): Measures designed to give rise to confusion with the merchandise, works, services or activities of others are unfair.</p> <p>Art. 18: Ban on misleading indications regarding the manufacture, composition and special effects of foodstuffs.</p>

Title	
Dates of adoption and entry into effect	Brief description
<p><u>Federal Law regulating the Trade in Precious Metals and Works in Precious Metals</u>; adopted on 20 June 1933, entered into effect on 1 July 1934 (Law regulating the Trade in Precious Metals, LCMP: RS 941.31, RO 50 357)</p> <p>Geographical indications</p> <p><u>Ordinance on the Business Register</u>; adopted on 7 June 1937, entered into effect on 1 July 1937 (ORC: RS 221.411, RS 2 672)</p> <p><u>Federal Law on the Protection of Coats of Arms and other Public Signs</u>; adopted on 5 June 1931, entered into effect on 1 February 1932 (RS 232.21, RS 2 928)</p> <p><i>(See List B: Trademarks or commercial marks (and service marks))</i></p> <p><u>Regulation implementing the Federal Law on the Protection of Coats of Arms and other Public Signs</u>; adopted on 5 January 1932, entered into effect on 1 February 1932 (RS 232.211, RS 2 936)</p> <p><i>(See List B: Trademarks or commercial marks (and service marks))</i></p>	<p>Arts. 10, 12(1a), 2, 22(1), 22a and 47, amended and introduced during the complete revision of the Law on Marks (LPM of 28 August 1992) <i>(See List A: Trademarks or commercial marks (and service marks))</i>.</p> <p>Art. 45 ff: Ban on the use of national, territorial and regional designations in business names. Exceptions.</p> <p>Arts. 1(4), 2, 3 and 10: Ban on the use, for business purposes, of coats of arms and other signs pertaining to the Confederation, the Cantons or foreign States on products and their packaging. The use of signs in such manner as to mislead regarding geographical origin is considered to be unethical.</p> <p>Industrial designs and models, trademarks and commercial marks, business register, etc.</p>

Title	
Dates of adoption and entry into effect	Brief description
<p><u>Federal Law on Unfair Competition</u>; adopted on 19 December 1986, entered into effect on 1 March 1988 (LCD: RS 241, RO 1988 223)*</p> <p><i>(See List A: Protection of information not divulged)</i></p> <p><u>Ordinance on the Right of the Confederation to institute proceedings in the context of the Law on Unfair Competition</u>; adopted on 17 February 1993, entered into effect on 1 March 1993 (RS 241.3, RO 1993 1053)</p> <p><i>(See List A: Means of enforcing rights)</i></p>	<p>Art. 3: Definition of unfair practices. See for example (b) and (d): inaccurate or false indications or measures designed to give rise to confusion with the merchandise, works, services or activities of others are unfair.</p> <p>Art. 10(2c): Action by the Confederation to protect Switzerland's reputation when persons having the right to institute proceedings reside in foreign countries.</p> <p>The Federal Office for Industry, Crafts and Trades and Labour (OFIAMT) represents the Confederation in civil or criminal proceedings based on Art. 10(2c) LCD.</p>
<p>Industrial designs</p> <p><u>Federal Law supplementing the Swiss Civil Law Code</u>; adopted on 30 March 1911, entered into effect on 1 January 1912 (Code of Obligations, CO: RS 220, RO 27 321)</p> <p><u>Federal Law on Unfair Competition</u>; adopted on 19 December 1986, entered into effect on 1 March 1988 (LCD: RS 241, RO 1988 223)*</p> <p><i>(See List A: Protection of information not divulged)</i></p>	<p>Art. 332a: The employer's right to designs, whether eligible for protection or not, created by an employee in the performance of his duties.</p> <p>Art. 3: Definition of unfair practices; see for example (d): measures designed to give rise to confusion with the merchandise, works, services or activities of others are unfair.</p> <p>Art. 5: The illicit exploitation of the work of others is unfair.</p>

Title	Brief description
Dates of adoption and entry into effect	
<p>Patents (including the protection of plant varieties)</p> <p><u>Federal Law supplementing the Swiss Civil Law Code</u>; adopted on 30 March 1911, entered into effect on 1 January 1912 (Code of Obligations, CO: RS 220, RO 27 321)</p> <p><i>(See List B: Industrial designs and models)</i></p> <p><u>Federal Law on Unfair Competition</u>; adopted on 19 December 1986, entered into effect on 1 March 1988 (LCD: RS 241, RO 1988 223)*</p> <p><i>(See List A: Protection of information not divulged)</i></p> <p><u>Staff regulations applying to officials</u>; adopted on 30 June 1927, entered into effect on 1 January 1928 (StF: RS 172.221.10, RO 43 459 and RS 1 459)</p> <p><u>Regulations applying to public service employees</u>; adopted on 10 November 1959, entered into effect on 1 December 1959 (RS 172.221.104, RO 1959 1221)</p>	<p>Art. 332: The employer's right to inventions made by an employee in the performance of his duties.</p> <p>Art. 3: Definition of unfair practices.</p> <p>Art. 16: Inventions made by an official in the performance of his functions belong to the Confederation.</p> <p>Art. 19: Inventions made by a public service employee in the performance of his duties belong to the Confederation.</p> <p><i>N.B.: Cantonal officials and employees are subject to similar Cantonal provisions. It was not thought necessary to cite the latter here.</i></p>

Title	
Dates of adoption and entry into effect	Brief description
<p>Layout designs (topographies) of integrated circuits</p> <p><u>Federal Law on Unfair Competition</u>; adopted on 19 December 1986, entered into effect on 1 March 1988 (LCD: RS 241, RO 1988 223)*</p> <p><i>(See List A: Protection of information not divulged)</i></p> <p>Protection of undisclosed information</p> <p><u>Federal Law supplementing the Swiss Civil Law Code</u>; adopted on 30 March 1911, entered into effect on 1 January 1912 (Code of Obligations, CO: RS 220, RO 27 321)</p> <p><u>Swiss Criminal Law Code</u>; adopted on 21 December 1937, entered into effect on 1 January 1942 (CPS: RS 311.0, RS 3 193)</p>	<p>Art. 5(c): Appropriating the result of the work of others via the use of reproduction techniques and exploiting it as it stands, without any corresponding input, is unfair (exploitation of the work of others).</p> <p>Art. 321(a): Workers prohibited from making use of or revealing industrial or business secrets while under contract or subsequently.</p> <p>Art. 161: Exploiting knowledge of confidential information.</p> <p>Art. 162: Betrayal of industrial or business secrets.</p> <p>Art. 273: Seeking to discover industrial or business secrets in order to make them accessible to a foreign official or private body is forbidden. Proceedings and penalties under criminal law.</p> <p><i>N.B.: The definition of industrial and business secrets has been developed by case law: it corresponds to that set out in Art. 39(1) of the TRIPS Agreement.</i></p>

Title	Brief description
Dates of adoption and entry into effect	
<p><u>Regulation implementing the Inter-Cantonal Convention on the Control of Medicines</u>; adopted on 25 May 1972, entered into effect on 1 July 1972</p> <p>Prevention of the improper use of intellectual property rights</p> <p><u>Federal Law on Cartels and Similar Organizations</u>; adopted on 20 December 1985, entered into effect on 1 July 1986 (Law on Cartels, LCart: RS 251, RO 1986 874)</p> <p>Complete revision (<i>See List A: Control of anti-competitive practices in licences</i>)</p>	<p>Art. 34: Persons effecting controls on medicines and their manufacture are subject to professional secrecy.</p> <p><i>N.B.: Provisions concerning the mandatory professional secrecy of natural or legal persons, employees and officials, and the safeguarding of industrial or business secrets are common in most laws and regulations. It was not thought necessary to cite them here.</i></p> <p>Acts of which the effects on competition do not derive exclusively from the legislation on intellectual property fall within the scope of the Law on Cartels (Art. 44(3)).</p> <p>Art. 3(2): Scope of the Law on Cartels.</p> <p>Art. 6(1d): Agreements on the concession of exclusive licences relating to intellectual property rights are considered to be justified. Civil law and administrative proceedings and penalties.</p>

Title	
Dates of adoption and entry into effect	Brief description
<p>Civil judicial procedures and remedies</p> <p><u>Swiss Civil Law Code</u>; adopted on 10 December 1907, entered into effect on 1 January 1912 (CC: RS 210, RO 2 3)</p> <p><i>(See List B: Copyright and connected rights)</i></p> <p><u>Federal Law supplementing the Swiss Civil Law Code</u>; adopted on 30 March 1911, entered into effect on 1 January 1912 (Code of Obligations, CO: RS 220, RO 27 321)</p> <p><u>Cantonal codes of civil law procedure</u></p> <p><u>Ordinance fixing the maximum amount at issue in disputes to be settled via procedures relating to consumer protection or unfair competition</u>; adopted on 14 December 1987, entered into effect on 1 March 1988 (RS 944.8, RO 1988 232)</p> <p><u>Federal Law on International Private Law</u>; adopted on 18 December 1987, entered into effect on 1 January 1989 (LDIP: RS 291, RO 1988 1776)</p>	<p>Art. 28(a) ff: Scope, protective measures. Implementation of measures, etc.</p> <p>Art. 41 ff: Civil liability arising from unlawful acts; award of damages, etc.</p> <p>Art. 97 ff: Contractual obligations; award of damages, etc.</p> <p>All Cantons and demi-Cantons in Switzerland (26 in all) possess codes of civil law procedure setting out legal remedies and establishing means for the execution of decisions. In the area of intellectual property, each Canton designates a single court of first instance in respect of procedures under civil law.</p> <p>The Cantons establish conciliation procedures or simple and rapid legal procedures applying to disputes arising out of contracts where a maximum amount of Sw F 8,000 is involved.</p> <p>Art. 109 ff: Jurisdiction of Swiss courts, applicable legislation and recognition of decisions made in foreign countries in the area of intellectual property.</p> <p>Art. 122: Legislation applicable to contracts in the area of intellectual property.</p>

Title	
Dates of adoption and entry into effect	Brief description
<p><u>Federal Law on the Organization of the Judicial System</u>; adopted on 16 December 1943, entered into effect on 1 January 1945 (OJ: RS 173.110, RS 3 521)</p> <p>Most recent amendments:</p> <p>Art. 99; adopted on 20 February 1994, entered into effect on 1 January 1995 (RO 1994 3010)</p> <p><u>Scale of costs awarded to the opposing party in cases brought before the Federal Court</u>; adopted on 9 November 1978, entered into effect on 1 January 1979 (RS 173.119.1, RO 1978 1956)</p> <p><u>Federal Law on Cartels and similar Organizations</u>; adopted on 20 December 1985, entered into effect on 1 July 1986 (Law on Cartels, LCart: RS 251, RO 1986 874)</p> <p>Complete revision (<i>See List A: Regulation of anti-competitive practices in licensing arrangements</i>)</p>	<p>Art. 45a: Petition for review before the Federal Court in respect of civil law proceedings relating to intellectual property.</p> <p>Art. 67: Particular characteristics of proceedings relating to patents. Petitions for revocation under Art. 68 ff are subsidiary.</p> <p>Art. 83: Appeals under public law against a Cantonal decision or order for alleged infringement of citizens' constitutional rights, legal settlements, international treaties, stipulations of Federal law regarding the jurisdiction of the respective authorities (exceptional proceedings), etc.</p> <p>Art. 6 ff: Proceedings and penalties under civil law.</p> <p>Art. 12 ff: Proceedings and penalties under civil law.</p>

Title	Brief description
Dates of adoption and entry into effect	
<p>Provisional judicial measures</p> <p><u>Swiss Civil Law Code</u>; adopted on 10 December 1907, entered into effect on 1 January 1912 (CC: RS 210, RO 2 3)</p> <p><i>(See List B: Copyright and connected rights)</i></p> <p><u>Cantonal Codes of Civil Law Procedure</u></p> <p><u>Cantonal Codes of Criminal Law Procedure</u></p> <p><u>Federal Law on the Organization of the Judicial System</u>; adopted on 16 December 1943, entered into effect on 1 January 1945 (OJ: RS 173.110, RS 3 521)</p> <p><i>(See List B: Procedures and remedies under Civil Law)</i></p> <p>Special requirements related to border measures</p> <p><u>Regulation on Charges levied by the Customs Authorities</u>; adopted on 22 August 1984, entered into effect on 1 October 1984 (RS 631.152.1, RO 1984 960)</p>	<p>Art. 28c ff: Provisional measures.</p> <p>All Swiss Cantons and demi-Cantons (26 in all) possess codes of civil law procedure setting out provisional measures and details of their means of execution. In the field of intellectual property, each Canton designates a single court of first instance in respect of proceedings under civil law.</p> <p>Each Canton or demi-Canton possesses a code of criminal law procedure which it applies subject to the provisions of the Swiss Criminal Code (Art. 365 CP) and the Federal Law on Criminal Law Procedure (Art. 247 ff). The 26 Cantonal codes of criminal law procedure contain provisions regarding provisional measures.</p> <p>Art. 58: Even when civil proceedings have been brought before the Federal Court for review, the Cantonal authorities alone are competent to order the execution of provisional measures.</p> <p>Charges due for customs intervention in cases of the suspected import or export of products bearing unlawfully affixed marks or indications of source (Item 1 of the Tariff).</p>

Title	Brief description
Dates of adoption and entry into effect	
<p>Criminal procedures</p> <p><u>Swiss Criminal Law Code</u>; adopted on 21 December 1937, entered into effect on 1 January 1942 (CPS: RS 311.0, RO 3 193)</p> <p><u>Cantonal Codes of Criminal Law Procedure</u></p> <p><u>Federal Law on Criminal Law Procedure</u>; adopted on 15 June 1934, entered into effect on 1 January 1935 (RS 312.0, RO 50 709 and RS 3 295)</p> <p><u>Federal Law on the Organization of the Judicial System</u>; adopted on 16 December 1943, entered into effect on 1 January 1945 (OJ: RS 173.110, RS 3 521)</p> <p><i>(See List A: Protection of information not divulged)</i></p> <p><u>Scale of costs allowed to the opposing party in cases brought before the Federal Court</u>; adopted on 9 November 1978, entered into effect on 1 January 1979 (RS 173.119.1, RO 1978 1956)</p> <p><i>(See List B: Legal procedures and remedies)</i></p> <p><u>Ordinance on the Communication of Decisions taken by the Cantonal Authorities in Criminal Law Cases</u>; adopted on 28 November 1994, entered into effect on 1 January 1995 (RS 312.3, RO 1995 92)</p>	<p>Art. 59: Confiscation of assets obtained as the result of an infringement.</p> <p>Prosecution is the responsibility of the Cantons. Each Canton or demi-Canton possesses a code of criminal law procedure (26 codes in all) which is applied, subject to the provisions of the Swiss Criminal Law Code (Art. 365 CP) and the Federal Law on Criminal Law Procedure (Art. 247 ff), to actions pending before its courts.</p> <p>Art. 268 ff: Revocation proceedings before the Federal Court of Appeal against decisions by Cantonal authorities in respect of infringements of Federal Law, etc.</p> <p>Arts. 136 and 145: Revision and interpretation of judgements by the Federal Court of Appeal.</p> <p>Art. 83: Appeals under public law against a Cantonal decision or order on grounds of infringement of citizens' constitutional rights, legal settlements, international treaties or the stipulations of Federal Law regarding the limits of the authorities' jurisdiction in respect of matter or place (exceptional proceedings), etc.</p> <p>The Cantonal authorities must communicate their decisions in criminal law cases regarding intellectual property to the Federal Institute for Intellectual Property.</p>

Title	
Dates of adoption and entry into effect	Brief description
<p>Other administrative procedures and remedies</p> <p><u>Federal Law on Administrative Procedures</u>; adopted on 20 December 1968, entered into effect on 1 October 1969 (PA: RS 172.021, RO 1969 757)</p> <p><u>Ordinance on Costs and Compensation in respect of Administrative Procedures</u>; adopted on 10 September 1969, entered into effect on 1 October 1969 (RS 172.041.0, RO 1969 780)</p> <p><u>Ordinance on the Organization and Procedure of Federal Appeal and Arbitration Committees</u>; adopted on 3 February 1993, entered into force on 1 July 1993 with effect as from 1 January 1994 (RS 173.31, RO 1993 879)</p> <p><u>Federal Law on the Organization of the Judicial System</u>; adopted on 16 December 1943, entered into effect on 1 January 1945 (OJ: RS 173.110, RS 3 521)</p> <p><i>(See List B: Legal procedures and remedies)</i></p> <p><u>Scale of costs allowed to the opposing party in cases brought before the Federal Court</u>; adopted on 9 November 1978, entered into effect on 1 January 1979 (RS 173.119.1, RO 1978 1956)</p> <p><i>(See List B: Legal procedures and remedies)</i></p>	<p>This Law governs the activities of the Federal authorities competent as regards opposition procedures and the lodging, registration and renewal (with the Federal Institute for Intellectual Property) of trademarks, patents, industrial designs and models and topographies of integrated circuits. The Law also applies to proceedings relating to intellectual property before the Federal Committee.</p> <p>This Ordinance fixes the compensation accorded to parties to opposition proceedings before the Appeals Committee and the Federal Institute for Intellectual Property.</p> <p>This Ordinance governs, among other things, the organization and procedure of the Federal Appeals Committee for intellectual property questions.</p> <p>Art. 97 ff: Appeals under administrative law before the Federal Court against decisions by the administrative authorities.</p>

Title	Brief description
Dates of adoption and entry into effect	
<p><u>Federal Law supplementing the Civil Law Code</u>; adopted on 30 March 1911, entered into effect on 1 January 1912 (Code of Obligations, CO: RS 220, RO 27 321)</p> <p><i>(See List B: Industrial designs and models)</i></p>	<p>Art. 61: Liability of officials and public employees.</p>
<p><u>Federal Law on the Liability of the Confederation, Members of its Authorities and its Officials</u>; adopted on 14 March 1958, entered into effect on 1 January 1954 (Law on Liability: RS 170.32, RO 1958 1483)</p>	<p>Liability in respect of damage caused, disciplinary liability of officials and persons directly entrusted with public law tasks by the Confederation. Award of damages, etc.</p>
<p><u>Ordinance relating to the Law on Liability</u>; adopted on 30 December 1958, entered into effect on 1 January 1959 (RS 170.321, RO 1958 1492)</p>	<p>Procedure relating to the liability of officials and Federal employees.</p> <p><i>N.B.: Cantonal officials and persons entrusted with public law tasks by the Cantons are responsible under Cantonal laws. It was not thought necessary to cite these laws here since they are in close conformity with Federal legislation.</i></p>
<p><u>Federal Law on Cartels and similar Organizations</u>; adopted on 20 December 1985, entered into effect on 1 July 1986 (Law on Cartels, LCart: RS 251, RO 1986 874)</p>	<p>Proceedings under administrative law. Investigations and recommendations of the Committee on Cartels (Art. 25 ff).</p>
<p>Complete revision (<i>See List A: Regulation of anti-competitive practices in licensing arrangements</i>)</p>	<p>Proceedings under administrative law before the Committee on Competition; penalties (Art. 18 ff).</p>