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

Original: English/
anglais/
inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY LAWS AND REGULATIONS
NOTIFIED UNDER ARTICLE 63.2 OF THE AGREEMENT**

GERMANY

Addendum

The present document reproduces the text¹ of the Law to Reform the Law relating to Merchants and Firms and to Amend other Provisions of Commercial and Company Law (Commercial Law Reform Law – HrefG), of 22 June 1998, as notified by Germany under Article 63.2 of the Agreement (see document IP/N/1/DEU/1/Rev.1/Add.1).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES
À LA PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES
AU TITRE DE L'ARTICLE 63:2 DE L'ACCORD**

ALLEMAGNE

Addendum

Le présent document contient le texte¹ de la Loi du 22 juin 1998 portant réforme du droit des commerçants et du droit des entreprises et portant modification d'autres dispositions du droit commercial et des sociétés (Loi de réforme du droit commercial – HrefG), notifié par l'Allemagne au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/DEU/1/Rev.1/Add.1).

**Consejo de los Aspectos de los Derechos de Propiedad
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA
PROPIEDAD INTELLECTUAL NOTIFICADOS EN VIRTUD
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

ALEMANIA

Addendum

En el presente documento se reproduce el texto¹ de la Ley de reforma de la Ley de Comerciantes y Empresas y de modificación de otras disposiciones de la Ley de Comercio y de Sociedades (Ley de reforma de la Ley de comercio – HrefG), de 22 de junio de 1998, que Alemania ha notificado en virtud del párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/DEU/1/Rev.1/Add.1).

¹ In English only./En anglais seulement./En inglés solamente.

Law
to Reform the Law relating to Merchants and Firms and
to Amend other Provisions of Commercial and Company Law
(Commercial Law Reform Law – HRefG)

of 22 June 1998

The Federal Parliament has passed the following Law:

Articles 1 to 12 ...

Article 13
Amendment to the Trade Mark Law

The Trade Mark Law of 25 October 1994 (Federal Law Gazette I page 3082, 1995 I page 156), last amended by Article 3 paragraph (14) of the Law of 28 October 1996 (Federal Law Gazette I page 1546), shall be amended as follows:

1. Section 33 shall be amended as follows:

- (a) A semicolon and the words "Publication of Application" shall be added to the heading.
- (b) The following subsection (3) shall be added:
“(3) A trade mark application which has been accorded a date of filing shall be published including information identifying the applicant.”

2. Section 65 subsection (1) shall be amended as follows:

- (a) The full stop at the end of number 13 shall be replaced by a comma.
- (b) The following number 14 shall be added:

“14. to regulate the information to be included in the publication pursuant to section 33 subsection (3) and to determine the extent and the manner of the publication of such information.”

3. Section 165 shall be worded as follows:

**“Section 165
Transitional Provisions**

(1) Section 33 subsection (3) shall not apply to applications for registration of a trade mark in the Register filed at the Patent Office before 1 January 1998.

(2) Until 1 January 1999 section 125h shall be applied subject to the proviso that bankruptcy proceedings shall be substituted for insolvency proceedings, the bankruptcy court for the insolvency court, assets involved in bankruptcy proceedings for assets involved in insolvency proceedings and the bankruptcy administrator for the insolvency administrator.”

Article 14

Amendment to the Law Against Unfair Competition

Section 6c, second sentence, of the Law Against Unfair Competition in the revised version published in the Federal Law Gazette Part III, No. 43-1, last amended by Article 4 of the Law of 13 August 1997 (Federal Law Gazette I page 2038), shall be repealed.

Articles 15 to 28 ...

Article 29

Entry into Force

(1) Article 13 no. 2 of this Law shall enter into force on the day following promulgation.

(2) Article 3 no. 7, 9, 25, 34 and 35, Article 5 no. 1, Article 8 no. 3 and 6, Article 9 no. 2, 3 and 5, Articles 21, 22 and 23 no. 3 to 5 of this Law shall enter into force on 1 January 1999.

(3) Article 20 no. 1 (a), (b) of this Law shall enter into force on 1 January 2002.

(4) This Law shall otherwise enter into force on 1 July 1998.

The constitutional rights of the Federal Council have been heeded.
The above Law is hereby executed and promulgated in the Federal Law Gazette.

Berlin, 22 June 1998

The Federal President
Roman Herzog

The Federal Chancellor
Dr. Helmut Kohl

The Federal Minister of Justice
Schmidt-Jortzig
