It is insisted that goods must be properly marked before shipment when proper notice has been given of requirements.

1. Considers that this article relates only to obligatory marks of origin and not to legal provisions forbidding false marks of origin.

2. Asks explanation of the provision under (h).

3. Penalties may justly be imposed for carelessness as well as for intention to defraud.

Suggests the addition of the following paragraph to this Article:

The members agree to take measures to protect the legitimacy and to insure recognition for the marks or means intended to guarantee the origin of the natural or manufactured products of the member countries, by prohibiting designations or marks which might give rise to errors or confusion in the identification of the legitimacy and origin of the product to be used for other similar products not originating in the country which exports them under the protection of its marks and geographical denominations.

No member may use for its natural or manufactured products geographical designations corresponding to another member, not even when such denominations are accompanied by qualifying terms, such as "class", "type", "style", or any other analogous terms which might be interpreted, in the judgment of the member thereby affected, as a false indication of origin.
Czechoslovakia C.II/24

1. Proposes to abolish obligatory marks of origin.

2. Proposes protection for regional marks of origin and suggests a central registration for these particular marks of origin.

France C.II/12

1. Asks that paragraph 6 be cancelled because it is covered by Article 13, paragraph 3.

2. Considers that Article, as drafted, does not apply to those provisions forbidding the application on foreign products of false or misleading marks.

3. Asks that the Article shall be compared with various others, enumerated international agreements. Members should reciprocate by protecting the marks of other members.

4. Suggests that the Draft Charter be completed by a provision, which would protect marks of geographical or regional origin, particularly as regards to wine, cognacs, and cheese.

New Zealand

The exemption provided in paragraph 5 (i) would appear to be undesirable owing to the difficulty of administration.

United Kingdom C.II/11

Article should be remitted to ITO for further study by the members who undertake to participate. Meantime first sentence could be retained with amendments by adding the following words after "minimum": practicable in their particular circumstances.

+ The Rapporteurs draw attention to the provisions of Article 32 (g).
SYSTEMATIC SUMMARY

CHAPTER I

Relation to other International Agreements

France  Asks that the Article shall be compared with various other international agreements.

CHAPTER II

General

United Kingdom  Article in its present form not acceptable and should be given further study.

CHAPTER III

False Marks of Origin

France, Belgium, Luxembourg and Netherlands  Consider that Article as drafted does not apply to those provisions forbidding the application on foreign products of false or misleading marks of origin.

Cuba  Suggests an amendment to provide against false marks of origin.

CHAPTER IV

Regional Marks

Cuba, Czechoslovakia and France  Suggest that geographical or regional marks should be protected. Czechoslovakia suggests central registration of regional marks.

CHAPTER V

Obligatory Marks of Origin

Czechoslovakia  Suggests abolishing obligatory marks of origin.

CHAPTER VI

Paragraph 1

United Kingdom  Proposes an amendment by adding the following words after "minimum": practicable in their particular circumstances.
CHAPTER VII

Paragraph 3

Australia

Insists that goods must be properly marked before shipment, when proper notice has been given of requirements.

CHAPTER VIII

Paragraph 5

(h) Belgium-Luxembourg and Netherlands

Requests an explanation of paragraph 5 (h).

(i) New Zealand

The explanation in paragraph 5 (i) would appear to be undesirable owing to the difficulty of administration.

CHAPTER IX

Paragraph 6

(1) France

Asks that paragraph 6 be cancelled because it is included in Article 13, paragraph 3.

(2) Belgium-Luxembourg and Netherlands

Penalties may justly be imposed for carelessness as well as intention to defraud.