

ARTICLE 4

Countries which participate at the same time in the present Agreement and in the Madrid Agreement concerning the International Registration of Trade Marks further agree as follows: the renewal of registration of trade marks entered on the International Register and of which one of the contracting countries is the country of origin in the sense of Article 1 of the Madrid Agreement shall have retroactive effect to the date of expiration of their normal term provided the renewal is effected before 30 June 1948.

ARTICLE 5

(1) The period between 3 September 1939 and 30 June 1947, shall not be taken into account in calculating the periods provided for the exploitation of a patent, for the use of a trade mark, for the exploitation of an industrial design or model, and the period of three years provided by paragraph (2) of Article 6 *bis* of the Convention of the Union.

(2) Further, it is agreed that no patent, industrial design or model, or trade mark, still in force on 3 September 1939 may be subjected to any of the penalties provided by Article 5 of the Convention of the Union before 30 June 1949.

ARTICLE 6

(1) Third parties who, after 3 September 1939, and until 31 December 1946, have undertaken in good faith the exploitation of an invention, of a utility model, or of an industrial design or model may continue such exploitation subject to the conditions prescribed by the domestic legislations.

(2) An inventor who establishes proof of his inventorship and who has filed an application for patent between 3 September 1939, and 1 January 1946 or his legal representative or assignee, may in respect of an application for patent claiming the benefit of Article 1 be treated as an exploiter in good faith, even if he has not effectively exploited his invention, provided he can establish that the exploitation was prevented by the war.

ARTICLE 7

The provisions of the present Agreement comprise only a minimum of protection; they do not prevent a claim, in favour of the proprietors of industrial property rights, for the application of any more extended prescriptions which may be fixed by the domestic legislation of a contracting country; they equally permit the continuance in force of more favourable and non-conflicting agreements which the Governments of the contracting countries have concluded or may conclude between themselves.