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Leto XI

83. Zakon o ratifikaciji Pogodbe o pravu znamk (MPPZ)

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z

O RAZGLASITVI ZAKONA O RATIFIKACIJI POGODBE O PRAVU ZNAMK (MPPZ)

Razglasjam Zakon o ratifikaciji Pogodbe o pravu znamk (MPPZ), ki ga je sprejel Državni zbor Republike Slovenije na seji 22. novembra 2001.

Št. 001-22-142/01
Ljubljana, 30. novembra 2001

Predsednik
Republike Slovenije
Milan Kučan l. r.

Z A K O N

O RATIFIKACIJI POGODBE O PRAVU ZNAMK (MPPZ)

1. člen

Ratificira se Pogodba o pravu znamk, sprejeta 27. oktobra 1994 v Ženevi.

2. člen

Pogodba se v izvorniku v angleškem jeziku in v prevodu v slovenski jezik glasi:

TRADEMARK LAW TREATY

adopted at Geneva on October 27, 1994

Article 1

Abbreviated Expressions

For the purposes of this Treaty, unless expressly stated otherwise:

(i) "Office" means the agency entrusted by a Contracting Party with the registration of marks;

(ii) "registration" means the registration of a mark by an Office;

(iii) "application" means an application for registration;

(iv) references to a "person" shall be construed as references to both a natural person and a legal entity;

(v) "holder" means the person whom the register of marks shows as the holder of the registration;

(vi) "register of marks" means the collection of data maintained by an Office, which includes the contents of all registrations and all data recorded in respect of all registrations, irrespective of the medium in which such data are stored;

(vii) "Paris Convention" means the Paris Convention for the Protection of Industrial Property, signed at Paris on March 20, 1883, as revised and amended;

POGODBA O PRAVU ZNAMK

sprejeta v Ženevi 27. oktobra 1994

1. člen

Skrajšani izrazi

Za namene te pogodbe, če ni izrecno drugače navedeno:

(i) "urad" pomeni organ, ki ga je pogodbenica pooblastila za registriranje znamk;

(ii) "registracija" pomeni registracijo znamke s strani urada;

(iii) "prijava" pomeni prijavo za registracijo;

(iv) se sklicevanje na "osebo" šteje kot sklicevanje tako na fizično kot na pravno osebo;

(v) "imetnik" pomeni osebo, ki je v registru znamk izkazana kot imetnik registracije;

(vi) "register znamk" pomeni zbirko podatkov, ki jo vzdržuje urad in zajema vsebine vseh registracij in vse podatke, ki so bili vpisani v zvezi z vsemi registracijami, ne glede na nosilec, na katerem so shranjeni;

(vii) "Pariška konvencija" pomeni Pariško konvencijo za varstvo industrijske lastnine, podpisano v Parizu 20. marca 1883, kot je bila revidirana in spremenjena;

(viii) "Nice Classification" means the classification established by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, signed at Nice on June 15, 1957, as revised and amended;

(ix) "Contracting Party" means any State or intergovernmental organization party to this Treaty;

(x) references to an "instrument of ratification" shall be construed as including references to instruments of acceptance and approval;

(xi) "Organization" means the World Intellectual Property Organization;

(xii) "Director General" means the Director General of the Organization;

(xiii) "Regulations" means the Regulations under this Treaty that are referred to in Article 17.

Article 2

Marks to Which the Treaty Applies

(1) [*Nature of Marks*] (a) This Treaty shall apply to marks consisting of visible signs, provided that only those Contracting Parties which accept for registration three-dimensional marks shall be obliged to apply this Treaty to such marks.

(b) This Treaty shall not apply to hologram marks and to marks not consisting of visible signs, in particular, sound marks and olfactory marks.

(2) [*Kinds of Marks*] (a) This Treaty shall apply to marks relating to goods (trademarks) or services (service marks) or both goods and services.

(b) This Treaty shall not apply to collective marks, certification marks and guarantee marks.

Article 3

Application

(1) [*Indications or Elements Contained in or Accompanying an Application; Fee*] (a) Any Contracting Party may require that an application contain some or all of the following indications or elements:

(i) a request for registration;

(ii) the name and address of the applicant;

(iii) the name of a State of which the applicant is a national if he is the national of any State, the name of a State in which the applicant has his domicile, if any, and the name of a State in which the applicant has a real and effective industrial or commercial establishment, if any;

(iv) where the applicant is a legal entity, the legal nature of that legal entity and the State, and, where applicable, the territorial unit within that State, under the law of which the said legal entity has been organized;

(v) where the applicant has a representative, the name and address of that representative;

(vi) where an address for service is required under Article 4(2)(b), such address;

(vii) where the applicant wishes to take advantage of the priority of an earlier application, a declaration claiming the priority of that earlier application, together with indications and evidence in support of the declaration of priority that may be required pursuant to Article 4 of the Paris Convention;

(viii) where the applicant wishes to take advantage of any protection resulting from the display of goods and/or services in an exhibition, a declaration to that effect, together with indications in support of that declaration, as required by the law of the Contracting Party;

(viii) "Nicejska klasifikacija" pomeni klasifikacijo, ki jo uvaja Nicejski aranžma o mednarodni klasifikaciji proizvodov in storitev zaradi registracije znamk, podpisan v Nici 15. junija 1957, kot je bil revidiran in spremenjen;

(ix) "pogodbenica" pomeni vsako državo ali medvladno organizacijo pogodbenico te pogodbe;

(x) se sklicevanje na "listino o ratifikaciji" šteje tudi za sklicevanje na listino o sprejetju in odobritvi;

(xi) "Organizacija" pomeni Svetovno organizacijo za intelektualno lastnino;

(xii) "generalni direktor" pomeni generalnega direktorja Organizacije;

(xiii) "pravilnik" pomeni pravilnik po tej pogodbi iz 17. člena.

2. člen

Znamke, za katere se uporablja ta pogodba

(1) (*Narava znamk*) (a) Ta pogodba se uporablja za znamke, ki jih sestavljajo vidni znaki, s tem da so zavezane uporabljati to pogodbo za take znamke le tiste pogodbenice, ki sprejemajo za registracijo tridimenzionalne znamke.

(b) Ta pogodba se ne uporablja za hologramske znamke in znamke, ki jih ne sestavljajo vidni znaki, zlasti zvočne znamke in dišavne znamke.

(2) (*Vrste znamk*) (a) Ta pogodba se uporablja za znamke, ki se nanašajo na blago (blagovne znamke) ali storitve (storitvene znamke) ali tako blago kot storitve.

(b) Ta pogodba se ne nanaša na kolektivne znamke, certifikacijske znamke in garancijske znamke.

3. člen

Prijava

(1) (*Navedbe ali elementi, ki so vsebovani v prijavi ali jo spremljajo; pristojbina*) (a) Vsaka pogodbenica lahko zahteva, da prijava vsebuje nekaj ali vse od naslednjih navedb ali elementov:

(i) zahtevo za registracijo;

(ii) ime in naslov prijavitelja;

(iii) ime države, katere državljan je prijavitelj, če je državljan katere države, ime države, v kateri ima prijavitelj stalno prebivališče, če ga ima, in ime države, v kateri ima prijavitelj dejansko in resno industrijsko ali trgovsko podjetje, če ga ima;

(iv) če je prijavitelj pravna oseba, pravno naravo te pravne osebe in državo, in kadar je to primerno, ozemeljsko enoto znotraj te države, po katere pravu je omenjena pravna oseba organizirana;

(v) če ima prijavitelj zastopnika, ime in naslov tega zastopnika;

(vi) če se po pododstavku (b) drugega odstavka 4. člena zahteva naslov za vročitev, tak naslov;

(vii) če želi prijavitelj izkoristiti prednost prejšnje prijave, izjavo, s katero zahteva prednost te prejšnje prijave, skupaj z navedbami in dokazi za utemeljitev izjave o prednosti, ki se lahko zahtevajo na podlagi 4. člena Pariške konvencije;

(viii) če želi prijavitelj izkoristiti varstvo, ki izhaja iz predstavitve blaga in/ali storitev na razstavi, izjavo o tem skupaj z navedbami za utemeljitev te izjave, kot zahteva zakonodaja pogodbenice;

(ix) where the Office of the Contracting Party uses characters (letters and numbers) that it considers as being standard and where the applicant wishes that the mark be registered and published in standard characters, a statement to that effect;

(x) where the applicant wishes to claim color as a distinctive feature of the mark, a statement to that effect as well as the name or names of the color or colors claimed and an indication, in respect of each color, of the principal parts of the mark which are in that color;

(xi) where the mark is a three-dimensional mark, a statement to that effect;

(xii) one or more reproductions of the mark;

(xiii) a transliteration of the mark or of certain parts of the mark;

(xiv) a translation of the mark or of certain parts of the mark;

(xv) the names of the goods and/or services for which the registration is sought, grouped according to the classes of the Nice Classification, each group preceded by the number of the class of that Classification to which that group of goods or services belongs and presented in the order of the classes of the said Classification;

(xvi) a signature by the person specified in paragraph (4);

(xvii) a declaration of intention to use the mark, as required by the law of the Contracting Party.

(b) The applicant may file, instead of or in addition to the declaration of intention to use the mark referred to in subparagraph (a)(xvii), a declaration of actual use of the mark and evidence to that effect, as required by the law of the Contracting Party.

(c) Any Contracting Party may require that, in respect of the application, fees be paid to the Office.

(2) [Presentation] As regards the requirements concerning the presentation of the application, no Contracting Party shall refuse the application,

(i) where the application is presented in writing on paper, if it is presented, subject to paragraph (3), on a form corresponding to the application Form provided for in the Regulations,

(ii) where the Contracting Party allows the transmittal of communications to the Office by telefacsimile and the application is so transmitted, if the paper copy resulting from such transmittal corresponds, subject to paragraph (3), to the application Form referred to in item (i).

(3) [Language] Any Contracting Party may require that the application be in the language, or in one of the languages, admitted by the Office. Where the Office admits more than one language, the applicant may be required to comply with any other language requirement applicable with respect to the Office, provided that the application may not be required to be in more than one language.

(4) [Signature] (a) The signature referred to in paragraph (1)(a)(xvi) may be the signature of the applicant or the signature of his representative.

(b) Notwithstanding subparagraph (a), any Contracting Party may require that the declarations referred to in paragraph (1)(a)(xvii) and (1)(b) be signed by the applicant himself even if he has a representative.

(5) [Single Application for Goods and/or Services in Several Classes] One and the same application may relate to several goods and/or services, irrespective of whether they belong to one class or to several classes of the Nice Classification.

(ix) če urad pogodbenice uporablja znake (črke in številke), ki jih ima za standardne, in če prijavitelj želi, da bi bila znamka registrirana in objavljena v standardnih znakih, izjavo o tem;

(x) če želi prijavitelj zahtevati barvo kot razlikovalno lastnost znamke, izjavo o tem kot tudi ime ali imena zahtevane barve oziroma barv in za vsako barvo navedbo glavnih delov znamke, ki so v tej barvi;

(xi) če je znamka tridimenzionalna, izjavo o tem;

(xii) eno ali več reprodukcij znamke;

(xiii) transkripcijo znamke ali določenih delov znamke;

(xiv) prevod znamke ali določenih delov znamke;

(xv) imena blaga in/ali storitev, za katere se zahteva registracija, ki so razvrščeni v skupine po razredih Nicejske klasifikacije, s tem da je pred vsako skupino številka razreda klasifikacije, ki mu skupina blaga ali storitev pripada, in da je skupina predstavljena po vrstnem redu razredov omenjene klasifikacije;

(xvi) podpis osebe, navedene v četrtem odstavku;

(xvii) izjavo o namenu za uporabo znamke, kot zahteva zakonodaja pogodbenice.

(b) Prijavitelj lahko namesto izjave o namenu za uporabo znamke iz točke (xvii) pododstavka (a) ali dodatno k njej vložijo izjavo o dejanski uporabi znamke in dokaze o tem, kot zahteva zakonodaja pogodbenice.

(c) Vsaka pogodbenica lahko zahteva, da se v zvezi s prijavo uradu plačajo pristojbine.

(2) (Predložitev) Kar zadeva pogoje glede predložitve prijave, ne sme nobena pogodbenica zavrniti prijave:

(i) kadar je prijava predložena pisno na papirju, če je ob upoštevanju tretjega odstavka predložena na obrazcu, ki ustreza obrazcu prijave, predvidenem v pravilniku;

(ii) kadar pogodbenica dovoli prenos sporočil uradu po telefaksu in je prijava tako prenesena, če kopija na papirju, ki nastane ob takem prenosu, ustreza ob upoštevanju tretjega odstavka obrazcu prijave iz točke (i).

(3) (Jezik) Vsaka pogodbenica lahko zahteva, da je prijava v jeziku ali enem od jezikov, ki jih dopušča urad. Če urad dopušča več jezikov, se od prijavitelja lahko zahteva, da izpolni vsak drug jezikovni pogoj, ki se uporablja v zvezi z uradom, s tem da se ne more zahtevati, da je prijava v več jezikih.

(4) (Podpis) (a) Podpis iz točke (xvi) pododstavka (a) prvega odstavka je lahko podpis prijavitelja ali podpis njegovega zastopnika.

(b) Ne glede na pododstavek (a) lahko vsaka pogodbenica zahteva, da izjave iz točke (xvii) pododstavka (a) in pododstavka (b) prvega odstavka podpiše prijavitelj sam, tudi če ima zastopnika.

(5) (Ena sama prijava za blago in/ali storitve iz različnih razredov) Ena in ista prijava se lahko nanaša na več vrst blaga in/ali storitev ne glede na to, ali pripadajo enemu ali več razredom Nicejske klasifikacije.

(6) [*Actual Use*] Any Contracting Party may require that, where a declaration of intention to use has been filed under paragraph (1)(a)(xvii), the applicant furnish to the Office within a time limit fixed in its law, subject to the minimum time limit prescribed in the Regulations, evidence of the actual use of the mark, as required by the said law.

(7) [*Prohibition of Other Requirements*] No Contracting Party may demand that requirements other than those referred to in paragraphs (1) to (4) and (6) be complied with in respect of the application. In particular, the following may not be required in respect of the application throughout its pendency:

(i) the furnishing of any certificate of, or extract from, a register of commerce;

(ii) an indication of the applicant's carrying on of an industrial or commercial activity, as well as the furnishing of evidence to that effect;

(iii) an indication of the applicant's carrying on of an activity corresponding to the goods and/or services listed in the application, as well as the furnishing of evidence to that effect;

(iv) the furnishing of evidence to the effect that the mark has been registered in the register of marks of another Contracting Party or of a State party to the Paris Convention which is not a Contracting Party, except where the applicant claims the application of Article 6quinquies of the Paris Convention.

(8) [*Evidence*] Any Contracting Party may require that evidence be furnished to the Office in the course of the examination of the application where the Office may reasonably doubt the veracity of any indication or element contained in the application.

Article 4

Representation; Address for Service

(1) [*Representatives Admitted to Practice*] Any Contracting Party may require that any person appointed as representative for the purposes of any procedure before the Office be a representative admitted to practice before the Office.

(2) [*Mandatory Representation; Address for Service*] (a) Any Contracting Party may require that, for the purposes of any procedure before the Office, any person who has neither a domicile nor a real and effective industrial or commercial establishment on its territory be represented by a representative.

(b) Any Contracting Party may, to the extent that it does not require representation in accordance with subparagraph (a), require that, for the purposes of any procedure before the Office, any person who has neither a domicile nor a real and effective industrial or commercial establishment on its territory have an address for service on that territory.

(3) [*Power of Attorney*] (a) Whenever a Contracting Party allows or requires an applicant, a holder or any other interested person to be represented by a representative before the Office, it may require that the representative be appointed in a separate communication (hereinafter referred to as "power of attorney") indicating the name of, and signed by, the applicant, the holder or the other person, as the case may be.

(b) The power of attorney may relate to one or more applications and/or registrations identified in the power of attorney or, subject to any exception indicated by the appointing person, to all existing and future applications and/or registrations of that person.

(6) [*Dejanska uporaba*] Vsaka pogodbenica lahko zahteva, da v primeru, če je bila vložena izjava o namenu za uporabo po točki (xvii) pododstavka (a) prvega odstavka, prijavitelj v roku, ki ga določa njegova zakonodaja, ob upoštevanju najkrajšega roka, ki je predpisan v pravilniku, predloži uradu dokaz o dejanski uporabi znamke, kot to zahteva omenjena zakonodaja.

(7) [*Prepoved drugih pogojev*] Nobena pogodbenica ne more zahtevati, da se v zvezi s prijavo izpolnijo pogoji, ki niso tisti iz prvega do četrtega in iz šestega odstavka. Zlasti se v zvezi s prijavo, dokler ni rešena, ne more zahtevati naslednje:

(i) predložitev kakršnega koli potrdila ali izvlečka iz trgovskega registra;

(ii) navedba, da prijavitelj opravlja industrijsko ali trgovsko dejavnost, kot tudi predložitev ustreznega dokaza;

(iii) navedba, da prijavitelj opravlja dejavnost, ki se nanaša na blago in/ali storitve, našteje v prijavi, kot tudi predložitev ustreznega dokaza;

(iv) predložitev dokaza o vpisu znamke v register znank druge pogodbenice ali države, ki ni pogodbenica, je pa članica Pariške konvencije, razen če prijavitelj zahteva uporabo 6. *quinquies* člena Pariške konvencije.

(8) [*Dokazi*] Vsaka pogodbenica lahko zahteva, da se med preizkusom prijave uradu predložijo dokazi, če urad upravičeno dvomi o verodostojnosti kake navedbe ali elementa, ki ga vsebuje prijava.

4. člen

Zastopanje; naslov za vročitev

(1) [*Zastopniki, pooblaščenici za delovanje*] Vsaka pogodbenica lahko zahteva, da je vsaka oseba, ki je imenovana za zastopnika v postopku pri uradu, zastopnik, ki je pooblaščen za delovanje pri uradu.

(2) [*Obvezno zastopanje; naslov za vročitve*] (a) Vsaka pogodbenica lahko zahteva, da v postopku pri uradu vsako osebo, ki nima na njenem ozemlju niti stalnega prebivališča niti dejanskega in resnega industrijskega ali trgovskega podjetja, zastopa zastopnik.

(b) Vsaka pogodbenica lahko v primeru, da ne zahteva zastopanja v skladu s pododstavkom (a), zahteva, da ima v postopku pri uradu vsaka oseba, ki nima na njenem ozemlju niti stalnega prebivališča niti dejanskega in resnega industrijskega ali trgovskega podjetja, na tem ozemlju naslov za vročitev.

(3) [*Pooblastilo*] (a) Kadar koli pogodbenica dopušča ali zahteva, da prijavitelja, imetnika ali drugo zainteresirano osebo zastopa pri uradu zastopnik, lahko zahteva, da je zastopnik imenovan s posebnim obvestilom (v nadaljevanju "pooblastilo"), v katerem je odvisno od primera navedeno ime prijavitelja, imetnika ali druge osebe in ga je ta oseba podpisala.

(b) Pooblastilo se lahko nanaša na eno ali več prijav in/ali registracij, navedenih v pooblastilu, ali ob upoštevanju vsake izjeme, ki jo navede oseba, ki daje pooblastilo, na vse obstoječe in prihodnje prijave in/ali registracije te osebe.

(c) The power of attorney may limit the powers of the representative to certain acts. Any Contracting Party may require that any power of attorney under which the representative has the right to withdraw an application or to surrender a registration contain an express indication to that effect.

(d) Where a communication is submitted to the Office by a person who refers to himself in the communication as a representative but where the Office is, at the time of the receipt of the communication, not in possession of the required power of attorney, the Contracting Party may require that the power of attorney be submitted to the Office within the time limit fixed by the Contracting Party, subject to the minimum time limit prescribed in the Regulations. Any Contracting Party may provide that, where the power of attorney has not been submitted to the Office within the time limit fixed by the Contracting Party, the communication by the said person shall have no effect.

(e) As regards the requirements concerning the presentation and contents of the power of attorney, no Contracting Party shall refuse the effects of the power of attorney,

(i) where the power of attorney is presented in writing on paper, if it is presented, subject to paragraph (4), on a form corresponding to the power of attorney Form provided for in the Regulations,

(ii) where the Contracting Party allows the transmittal of communications to the Office by telefacsimile and the power of attorney is so transmitted, if the paper copy resulting from such transmittal corresponds, subject to paragraph (4), to the power of attorney Form referred to in item (i).

(4) [*Language*] Any Contracting Party may require that the power of attorney be in the language, or in one of the languages, admitted by the Office.

(5) [*Reference to Power of Attorney*] Any Contracting Party may require that any communication made to the Office by a representative for the purposes of a procedure before the Office contain a reference to the power of attorney on the basis of which the representative acts.

(6) [*Prohibition of Other Requirements*] No Contracting Party may demand that requirements other than those referred to in paragraphs (3) to (5) be complied with in respect of the matters dealt with in those paragraphs.

(7) [*Evidence*] Any Contracting Party may require that evidence be furnished to the Office where the Office may reasonably doubt the veracity of any indication contained in any communication referred to in paragraphs (2) to (5).

Article 5 Filing Date

(1) [*Permitted Requirements*] (a) Subject to subparagraph (b) and paragraph (2), a Contracting Party shall accord as the filing date of an application the date on which the Office received the following indications and elements in the language required under Article 3(3):

(i) an express or implicit indication that the registration of a mark is sought;

(ii) indications allowing the identity of the applicant to be established;

(iii) indications sufficient to contact the applicant or his representative, if any, by mail;

(iv) a sufficiently clear reproduction of the mark whose registration is sought;

(v) the list of the goods and/or services for which the registration is sought;

(c) Pooblastilo lahko omeji pooblastila zastopnika na določena dejanja. Vsaka pogodbenica lahko zahteva, da je v vsakem pooblastilu, po katerem ima zastopnik pravico umakniti prijavo ali odstopiti od registracije, to izrecno navedeno.

(d) Če predloži uradu obvestilo oseba, ki se predstavlja v tem obvestilu kot zastopnik, vendar urad ob prejemu obvestila nima zahtevanega pooblastila, lahko pogodbenica zahteva, da se uradu predloži pooblastilo v roku, ki ga določi pogodbenica ob upoštevanju najkrajšega roka, predpisane v pravilniku. Vsaka pogodbenica lahko določi, da v primeru, če pooblastilo ni predloženo uradu v roku, ki ga je predpisala, obvestilo omenjene osebe nima učinka.

(e) Kar zadeva pogoje v zvezi s predložitvijo in vsebino pooblastila, ne sme nobena pogodbenica zavrniti učinkov pooblastila:

(i) kadar je pooblastilo predloženo pisno na papirju, če je ob upoštevanju četrtega odstavka predloženo na obrazcu, ki ustreza obrazcu pooblastila, predvidenem v pravilniku;

(ii) kadar pogodbenica dovoli prenos sporočil uradu po telefaksu in je pooblastilo tako preneseno, če kopija na papirju, ki nastane ob takem prenosu, ustreza ob upoštevanju četrtega odstavka obrazcu pooblastila iz točke (i).

(4) (*Jezik*) Vsaka pogodbenica lahko zahteva, da je pooblastilo v jeziku ali enem od jezikov, ki jih dopušča urad.

(5) (*Sklicevanje na pooblastilo*) Vsaka pogodbenica lahko zahteva, da se vsako sporočilo, ki ga uradu pošlje zastopnik zaradi postopka pri uradu, sklicuje na pooblastilo, na podlagi katerega zastopnik deluje.

(6) (*Prepoved drugih pogojev*) Nobena pogodbenica ne more zahtevati, da se izpolnijo pogoji, ki niso tisti iz tretjega do petega odstavka, v zvezi z zadevami, ki jih obravnavajo ti odstavki.

(7) (*Dokazi*) Vsaka pogodbenica lahko zahteva, da se uradu predložijo dokazi, če urad upravičeno dvomi o verodostojnosti kake navedbe, ki jo vsebuje kako sporočilo iz drugega do petega odstavka.

5. člen Datum vložitve

(1) (*Dovoljeni pogoji*) (a) Ob upoštevanju pododstavka (b) in drugega odstavka pogodbenica kot datum vložitve prijave dodeli datum, ko je urad prejel naslednje navedbe in elemente v jeziku, zahtevanem po tretjem odstavku 3. člena:

(i) eksplicitno ali implicitno navedbo, da se zahteva registracija znamke;

(ii) navedbe, ki omogočajo ugotovitev identitete prijavitelja;

(iii) navedbe, ki zadoščajo za vzpostavitev stika s prijaviteljem ali njegovim morebitnim zastopnikom po pošti;

(iv) dovolj jasno reprodukcijo znamke, za katero se zahteva registracija;

(v) seznam blaga in/ali storitev, za katere se zahteva registracija;

(vi) where Article 3(1)(a)(xvii) or 3(1)(b) applies, the declaration referred to in Article 3(1)(a)(xvii) or the declaration and evidence referred to in Article 3(1)(b), respectively, as required by the law of the Contracting Party, those declarations being, if so required by the said law, signed by the applicant himself even if he has a representative.

(b) Any Contracting Party may accord as the filing date of the application the date on which the Office received only some, rather than all, of the indications and elements referred to in subparagraph (a) or received them in a language other than the language required under Article 3(3).

(2) [Permitted Additional Requirement] (a) A Contracting Party may provide that no filing date shall be accorded until the required fees are paid.

(b) A Contracting Party may apply the requirement referred to in subparagraph (a) only if it applied such requirement at the time of becoming party to this Treaty.

(3) [Corrections and Time Limits] The modalities of, and time limits for, corrections under paragraphs (1) and (2) shall be fixed in the Regulations.

(4) [Prohibition of Other Requirements] No Contracting Party may demand that requirements other than those referred to in paragraphs (1) and (2) be complied with in respect of the filing date.

Article 6

Single Registration for Goods and/or Services in Several Classes

Where goods and/or services belonging to several classes of the Nice Classification have been included in one and the same application, such an application shall result in one and the same registration.

Article 7

Division of Application and Registration

(1) [Division of Application] (a) Any application listing several goods and/or services (hereinafter referred to as "initial application") may,

(i) at least until the decision by the Office on the registration of the mark,

(ii) during any opposition proceedings against the decision of the Office to register the mark,

(iii) during any appeal proceedings against the decision on the registration of the mark,

be divided by the applicant or at his request into two or more applications (hereinafter referred to as "divisional applications") by distributing among the latter the goods and/or services listed in the initial application. The divisional applications shall preserve the filing date of the initial application and the benefit of the right of priority, if any.

(b) Any Contracting Party shall, subject to subparagraph (a), be free to establish requirements for the division of an application, including the payment of fees.

(2) [Division of Registration] Paragraph (1) shall apply, *mutatis mutandis*, with respect to a division of a registration. Such a division shall be permitted

(i) during any proceedings in which the validity of the registration is challenged before the Office by a third party,

(ii) during any appeal proceedings against a decision taken by the Office during the former proceedings,

provided that a Contracting Party may exclude the possibility of the division of registrations if its law allows third parties to oppose the registration of a mark before the mark is registered.

(vi) kadar se uporablja točka (xvii) pododstavka (a) ali pododstavek (b) prvega odstavka 3. člena, izjavo iz točke (xvii) pododstavka (a) prvega odstavka 3. člena ali izjavo oziroma dokaz iz pododstavka (b) prvega odstavka 3. člena, kot zahteva zakonodaja pogodbenice, s tem da te izjave, če tako zahteva omenjena zakonodaja, podpiše prijavitelj sam, tudi če ima zastopnika.

(b) Vsaka pogodbenica lahko kot datum vložitve prijave dodeli datum, ko je urad prejel samo nekatere in ne vseh navedb in elementov iz pododstavka (a) ali jih je prejel v jeziku, ki ni jezik, zahtevan po tretjem odstavku 3. člena.

(2) (Dovoljeni dodatni pogoji) (a) Pogodbenica lahko določi, da se ne dodeli datum vložitve, dokler niso plačane zahtevane pristojbine.

(b) Pogodbenica lahko uporabi pogoj iz pododstavka (a) samo, če je tak pogoj uporabila, ko je postala pogodbenica te pogodbe.

(3) (Popravki in roki) Načini popravkov po prvem in drugem odstavku in roki zanje so določeni v pravilniku.

(4) (Prepoved drugih pogojev) Nobena pogodbenica ne more zahtevati, da se v zvezi z datumom vložitve izpolnijo pogoji, ki niso tisti iz prvega in drugega odstavka.

6. člen

Ena sama registracija za blago in/ali storitve iz več razredov

Če so blago in/ali storitve, ki pripadajo več razredom Nicejske klasifikacije, vključeni v eni in isti prijavi, je posledica take prijave ena in ista registracija.

7. člen

Delitev prijave in registracije

(1) (Delitev prijave) (a) Vsako prijavo, ki navaja več vrst blaga in/ali storitev (v nadaljevanju "prva prijava"), lahko prijavitelj

(i) vsaj do odločitve urada o registraciji znamke,

(ii) med vsakim postopkom ugovora zoper odločitev urada o registraciji znamke,

(iii) med vsakim postopkom pritožbe zoper odločitev o registraciji znamke

razdeli ali zahteva, da se razdeli v dve ali več prijav (v nadaljevanju "ločene prijave"), tako da med slednje porazdeli blago in/ali storitve, naštete v prvi prijavi. Ločene prijave obdržijo datum vložitve prve prijave in ugodnost morebitne prednostne pravice.

(b) Vsaka pogodbenica lahko ob upoštevanju pododstavka (a) postavlja pogoje za delitev prijave, vključno s plačevanjem pristojbin.

(2) (Delitev registracije) Prvi odstavek se smiselno uporablja za delitev registracije. Taka delitev se dovoli

(i) med vsakim postopkom, v katerem tretja stranka pri uradu izpodbija veljavnost registracije,

(ii) med vsakim postopkom pritožbe zoper odločitev, ki jo je urad sprejel med prejšnjim postopkom,

s tem da lahko pogodbenica izključi možnost delitve registracij, če njena zakonodaja dopušča ugovor tretje stranke zoper registracijo znamke, preden je registrirana.

Article 8
Signature

(1) [*Communication on Paper*] Where a communication to the Office of a Contracting Party is on paper and a signature is required, that Contracting Party

(i) shall, subject to item (iii), accept a handwritten signature,

(ii) shall be free to allow, instead of a handwritten signature, the use of other forms of signature, such as a printed or stamped signature, or the use of a seal,

(iii) may, where the natural person who signs the communication is its national and such person's address is in its territory, require that a seal be used instead of a handwritten signature,

(iv) may, where a seal is used, require that the seal be accompanied by an indication in letters of the name of the natural person whose seal is used.

(2) [*Communication by Telefacsimile*] (a) Where a Contracting Party allows the transmittal of communications to the Office by telefacsimile, it shall consider the communication signed if, on the printout produced by the telefacsimile, the reproduction of the signature, or the reproduction of the seal together with, where required under paragraph (1)(iv), the indication in letters of the name of the natural person whose seal is used, appears.

(b) The Contracting Party referred to in subparagraph (a) may require that the paper whose reproduction was transmitted by telefacsimile be filed with the Office within a certain period, subject to the minimum period prescribed in the Regulations.

(3) [*Communication by Electronic Means*] Where a Contracting Party allows the transmittal of communications to the Office by electronic means, it shall consider the communication signed if the latter identifies the sender of the communication by electronic means as prescribed by the Contracting Party.

(4) [*Prohibition of Requirement of Certification*] No Contracting Party may require the attestation, notarization, authentication, legalization or other certification of any signature or other means of self-identification referred to in the preceding paragraphs, except, if the law of the Contracting Party so provides, where the signature concerns the surrender of a registration.

Article 9
Classification of Goods and/or Services

(1) [*Indications of Goods and/or Services*] Each registration and any publication effected by an Office which concerns an application or registration and which indicates goods and/or services shall indicate the goods and/or services by their names, grouped according to the classes of the Nice Classification, and each group shall be preceded by the number of the class of that Classification to which that group of goods or services belongs and shall be presented in the order of the classes of the said Classification.

(2) [*Goods or Services in the Same Class or in Different Classes*] (a) Goods or services may not be considered as being similar to each other on the ground that, in any registration or publication by the Office, they appear in the same class of the Nice Classification.

(b) Goods or services may not be considered as being dissimilar from each other on the ground that, in any registration or publication by the Office, they appear in different classes of the Nice Classification.

8. člen
Podpis

(1) (*Sporočilo na papirju*) Če je sporočilo uradu pogodbenice na papirju in se zahteva podpis, ta pogodbenica

(i) ob upoštevanju točke (iii) sprejme svojeročni podpis,

(ii) namesto svojeročnega podpisa lahko dovoli uporabo drugih oblik podpisa, kot je tiskan podpis ali podpisni žig, ali uporabo pečata,

(iii) lahko zahteva, če je fizična oseba, ki podpiše sporočilo, njen državljan in je naslov take osebe na njenem ozemlju, da se namesto svojeročnega podpisa uporabi pečat,

(iv) lahko zahteva, če je uporabljen pečat, da je poleg pečata črkovna navedba imena fizične osebe, katere pečat je uporabljen.

(2) (*Sporočilo po telefaksu*) (a) Če pogodbenica dovoli prenos sporočil uradu po telefaksu, šteje sporočilo za podpisano, če se na izpisu iz telefaksa pojavi kopija podpisa ali kopija pečata skupaj s črkovno navedbo imena fizične osebe, katere pečat je uporabljen, če se črkovna navedba zahteva po točki (iv) prvega odstavka.

(b) Pogodbenica iz pododstavka (a) lahko zahteva, da se dokument, katerega kopija je bila prenesena po telefaksu, vložijo pri uradu v določenem roku ob upoštevanju najkrajšega roka, ki je predpisan v pravilniku.

(3) (*Sporočilo po elektronskih sredstvih*) Če pogodbenica dovoli prenos sporočil uradu po elektronskih sredstvih, šteje sporočilo za podpisano, če to identificira pošiljatelja sporočila po elektronskih sredstvih, kot predpisuje pogodbenica.

(4) (*Prepoved zahteve za potrditev*) Nobena pogodbenica ne more zahtevati potrditve, notarske ali druge overitve, legalizacije ali druge certifikacije podpisa ali drugega sredstva osebne identifikacije iz prejšnjih odstavkov, razen če tako določa zakonodaja pogodbenice, kadar podpis zahteva odstop od registracije.

9. člen
Klasifikacija blaga in/ali storitev

(1) (*Označbe blaga in/ali storitev*) V vsaki registraciji in vsaki objavi, ki jo opravi urad v zvezi s prijavo ali registracijo in ki označuje blago in/ali storitve, so blago in/ali storitve navedeni s svojimi imeni in razvrščeni v skupine po razredih Nicejske klasifikacije, s tem da je pred vsako skupino številka razreda klasifikacije, ki mu skupina blaga ali storitev pripada, in da je skupina predstavljena po vrstnem redu razredov omenjene klasifikacije.

(2) (*Blago ali storitve istega razreda ali različnih razredov*) (a) Blago ali storitve se ne morejo šteti za med seboj podobne zato, ker se v neki registraciji ali objavi urada pojavijo v istem razredu Nicejske klasifikacije.

(b) Blago ali storitve se ne morejo šteti za med seboj različne zato, ker se v neki registraciji ali objavi urada pojavijo v različnih razredih Nicejske klasifikacije.

Article 10

Changes in Names or Addresses

(1) [*Changes in the Name or Address of the Holder*] (a) Where there is no change in the person of the holder but there is a change in his name and/or address, each Contracting Party shall accept that a request for the recordal of the change by the Office in its register of marks be made in a communication signed by the holder or his representative and indicating the registration number of the registration concerned and the change to be recorded. As regards the requirements concerning the presentation of the request, no Contracting Party shall refuse the request,

(i) where the request is presented in writing on paper, if it is presented, subject to subparagraph (c), on a form corresponding to the request Form provided for in the Regulations,

(ii) where the Contracting Party allows the transmittal of communications to the Office by telefacsimile and the request is so transmitted, if the paper copy resulting from such transmittal corresponds, subject to subparagraph (c), to the request Form referred to in item (i).

(b) Any Contracting Party may require that the request indicate

(i) the name and address of the holder;

(ii) where the holder has a representative, the name and address of that representative;

(iii) where the holder has an address for service, such address.

(c) Any Contracting Party may require that the request be in the language, or in one of the languages, admitted by the Office.

(d) Any Contracting Party may require that, in respect of the request, a fee be paid to the Office.

(e) A single request shall be sufficient even where the change relates to more than one registration, provided that the registration numbers of all registrations concerned are indicated in the request.

(2) [*Change in the Name or Address of the Applicant*] Paragraph (1) shall apply, *mutatis mutandis*, where the change concerns an application or applications, or both an application or applications and a registration or registrations, provided that, where the application number of any application concerned has not yet been issued or is not known to the applicant or his representative, the request otherwise identifies that application as prescribed in the Regulations.

(3) [*Change in the Name or Address of the Representative or in the Address for Service*] Paragraph (1) shall apply, *mutatis mutandis*, to any change in the name or address of the representative, if any, and to any change relating to the address for service, if any.

(4) [*Prohibition of Other Requirements*] No Contracting Party may demand that requirements other than those referred to in paragraphs (1) to (3) be complied with in respect of the request referred to in this Article. In particular, the furnishing of any certificate concerning the change may not be required.

(5) [*Evidence*] Any Contracting Party may require that evidence be furnished to the Office where the Office may reasonably doubt the veracity of any indication contained in the request.

10. člen

Spremembe imena ali naslova

(1) (*Sprememba imena ali naslova imetnika*) (a) Če se oseba imetnika ne spremeni, spremenita pa se njegovo ime in/ali naslov, vsaka pogodbenica dopušča, da se postavi zahteva za vpis spremembe v register znank urada v sporočilu, ki ga podpiše imetnik ali njegov zastopnik in v katerem sta navedeni številka zadevne registracije in sprememba, ki jo je treba vpisati. Kar zadeva pogoje v zvezi s predložitvijo zahteve, te ne sme zavrniti nobena pogodbenica:

(i) kadar je zahteva predložena pisno na papirju, če je ob upoštevanju pododstavka (c) predložena na obrazcu, ki ustreza obrazcu zahteve, predvidenem v pravilniku;

(ii) kadar pogodbenica dovoli prenos sporočil uradu po telefaksu in je zahteva tako prenesena, če kopija na papirju, ki nastane ob takem prenosu, ustreza ob upoštevanju pododstavka (c) obrazcu zahteve iz točke (i).

(b) Vsaka pogodbenica lahko zahteva, da so v zahtevi navedeni:

(i) ime in naslov imetnika;

(ii) če ima imetnik zastopnika, ime in naslov tega zastopnika;

(iii) če ima imetnik naslov za vročitev, tak naslov.

(c) Vsaka pogodbenica lahko zahteva, da je zahteva v jeziku ali enem od jezikov, ki jih dopušča urad.

(d) Vsaka pogodbenica lahko zahteva, da se v zvezi z zahtevo uradu plača pristojbina.

(e) Ena sama zahteva zadošča tudi, če se sprememba nanaša na več registracij, pod pogojem, da so v zahtevi navedene številke vseh zadevnih registracij.

(2) (*Sprememba imena ali naslova prijavitelja*) Prvi odstavek se smiselno uporablja, kadar sprememba zadeva eno ali več prijav ali hkrati eno ali več prijav in eno ali več registracij, pod pogojem, da je prijava, kadar še nima številke ali ta prijavitelju oziroma njegovemu zastopniku ni znana, v zahtevi identificirana na drug način, vendar skladno s pravilnikom.

(3) (*Sprememba imena ali naslova zastopnika ali naslova za vročitev*) Prvi odstavek se smiselno uporablja za vsako spremembo imena ali naslova morebitnega zastopnika in za vsako spremembo morebitnega naslova za vročitev.

(4) (*Prepoved drugih pogojev*) Nobena pogodbenica ne more zahtevati, da se v zvezi z zahtevo iz tega člena izpolnijo pogoji, ki niso tisti iz prvega do tretjega odstavka. Zlasti se ne more zahtevati predložitev potrdila v zvezi s spremembo.

(5) (*Dokazi*) Vsaka pogodbenica lahko zahteva, da se uradu predložijo dokazi, če urad upravičeno dvomi o verodostojnosti kake navedbe, ki jo vsebuje zahteva.

Article 11

Change in Ownership

(1) [*Change in the Ownership of a Registration*] (a) Where there is a change in the person of the holder, each Contracting Party shall accept that a request for the recordal of the change by the Office in its register of marks be made in a communication signed by the holder or his representative, or by the person who acquired the ownership (hereinafter referred to as "new owner") or his representative, and indicating the registration number of the registration concerned and the change to be recorded. As regards the requirements concerning the presentation of the request, no Contracting Party shall refuse the request,

(i) where the request is presented in writing on paper, if it is presented, subject to paragraph (2)(a), on a form corresponding to the request Form provided for in the Regulations,

(ii) where the Contracting Party allows the transmittal of communications to the Office by telefacsimile and the request is so transmitted, if the paper copy resulting from such transmittal corresponds, subject to paragraph (2)(a), to the request Form referred to in item (i).

(b) Where the change in ownership results from a contract, any Contracting Party may require that the request indicate that fact and be accompanied, at the option of the requesting party, by one of the following:

(i) a copy of the contract, which copy may be required to be certified, by a notary public or any other competent public authority, as being in conformity with the original contract;

(ii) an extract of the contract showing the change in ownership, which extract may be required to be certified, by a notary public or any other competent public authority, as being a true extract of the contract;

(iii) an uncertified certificate of transfer drawn up in the form and with the content as prescribed in the Regulations and signed by both the holder and the new owner;

(iv) an uncertified transfer document drawn up in the form and with the content as prescribed in the Regulations and signed by both the holder and the new owner.

(c) Where the change in ownership results from a merger, any Contracting Party may require that the request indicate that fact and be accompanied by a copy of a document, which document originates from the competent authority and evidences the merger, such as a copy of an extract from a register of commerce, and that that copy be certified by the authority which issued the document or by a notary public or any other competent public authority, as being in conformity with the original document.

(d) Where there is a change in the person of one or more but not all of several co-holders and such change in ownership results from a contract or a merger, any Contracting Party may require that any co-holder in respect of which there is no change in ownership give his express consent to the change in ownership in a document signed by him.

(e) Where the change in ownership does not result from a contract or a merger but from another ground, for example, from operation of law or a court decision, any Contracting Party may require that the request indicate that fact and be accompanied by a copy of a document evidencing the change and that that copy be certified as being in conformity with the original document by the authority which issued the document or by a notary public or any other competent public authority.

11. člen

Sprememba lastništva

(1) (*Sprememba lastništva registracije*) (a) Če gre za spremembo osebe imetnika, mora vsaka pogodbenica dopustiti, da se postavi zahteva za vpis spremembe v register znank urada v sporočilu, ki ga podpiše imetnik oziroma njegov zastopnik ali oseba, ki je pridobila lastništvo (v nadaljevanju "novi lastnik"), oziroma njen zastopnik in v katerem sta navedeni številka zadevne registracije in sprememba, ki jo je treba vpisati. Kar zadeva pogoje v zvezi s predložitvijo zahteve, te ne sme zavrniti nobena pogodbenica:

(i) kadar je zahteva predložena pisno na papirju, če je ob upoštevanju pododstavka (a) drugega odstavka predložena na obrazcu, ki ustreza obrazcu zahteve, predvidenem v pravilniku;

(ii) kadar pogodbenica dovoli prenos sporočil uradu po telefaksu in je zahteva tako prenesena, če kopija na papirju, ki nastane ob takem prenosu, ustreza ob upoštevanju pododstavka (a) drugega odstavka obrazcu zahteve iz točke (i).

(b) Če je sprememba lastništva posledica neke pogodbe, lahko vsaka pogodbenica zahteva, da je to dejstvo v zahtevi navedeno in da ji je po izbiri vložnika zahteve priložen eden od naslednjih dokumentov:

(i) kopija pogodbe, za katero se lahko zahteva, da jo overi notar ali kak drug pristojni javni organ kot skladno z izvirnikom;

(ii) izpisek iz pogodbe, ki izkazuje spremembo lastništva; za ta izpisek se lahko zahteva, da ga overi notar ali kak drug pristojni javni organ kot resničen izpisek iz pogodbe;

(iii) neoverjeno potrdilo o prenosu, ki je oblikovno in vsebinsko sestavljeno tako, kot določa pravilnik, in sta ga podpisala tako imetnik kot novi lastnik;

(iv) neoverjen dokument o prenosu, ki je oblikovno in vsebinsko sestavljen tako, kot določa pravilnik, in sta ga podpisala tako imetnik kot novi lastnik.

(c) Če je sprememba lastništva posledica združitve, lahko vsaka pogodbenica zahteva, da je to dejstvo v zahtevi navedeno in da ji je priložena kopija dokumenta, ki ga je izdal pristojni organ, in dokazuje združitev, kot je kopija izpiska iz trgovskega registra, in da to kopijo overi organ, ki je dokument izdal, ali notar oziroma kak drug pristojni javni organ kot skladno z izvirnikom.

(d) Če gre za spremembo osebe enega ali več, a ne vseh soimetnikov, in je taka sprememba lastništva posledica pogodbe ali združitve, lahko vsaka pogodbenica zahteva, da vsak soimetnik, pri katerem ni spremembe lastništva, da svojo izrecno privolitev k spremembi lastništva z dokumentom, ki ga podpiše.

(e) Če sprememba lastništva ni posledica pogodbe ali združitve, temveč ima drugo podlago, na primer delovanje zakona ali odločitev sodišča, lahko vsaka pogodbenica zahteva, da je to dejstvo v zahtevi navedeno in da ji je priložena kopija dokumenta, ki dokazuje spremembo in jo je overil organ, ki je izdal dokument, ali notar oziroma kak drug pristojni javni organ kot skladno z izvirnikom.

(f) Any Contracting Party may require that the request indicate

(i) the name and address of the holder;

(ii) the name and address of the new owner;

(iii) the name of a State of which the new owner is a national if he is the national of any State, the name of a State in which the new owner has his domicile, if any, and the name of a State in which the new owner has a real and effective industrial or commercial establishment, if any;

(iv) where the new owner is a legal entity, the legal nature of that legal entity and the State, and, where applicable, the territorial unit within that State, under the law of which the said legal entity has been organized;

(v) where the holder has a representative, the name and address of that representative;

(vi) where the holder has an address for service, such address;

(vii) where the new owner has a representative, the name and address of that representative;

(viii) where the new owner is required to have an address for service under Article 4(2)(b), such address.

(g) Any Contracting Party may require that, in respect of the request, a fee be paid to the Office.

(h) A single request shall be sufficient even where the change relates to more than one registration, provided that the holder and the new owner are the same for each registration and that the registration numbers of all registrations concerned are indicated in the request.

(i) Where the change of ownership does not affect all the goods and/or services listed in the holder's registration, and the applicable law allows the recording of such change, the Office shall create a separate registration referring to the goods and/or services in respect of which the ownership has changed.

(2) [Language; Translation] (a) Any Contracting Party may require that the request, the certificate of transfer or the transfer document referred to in paragraph (1) be in the language, or in one of the languages, admitted by the Office.

(b) Any Contracting Party may require that, if the documents referred to in paragraph (1)(b)(i) and (1)(b)(ii), (1)(c) and (1)(e) are not in the language, or in one of the languages, admitted by the Office, the request be accompanied by a translation or a certified translation of the required document in the language, or in one of the languages, admitted by the Office.

(3) [Change in the Ownership of an Application] Paragraphs (1) and (2) shall apply, *mutatis mutandis*, where the change in ownership concerns an application or applications, or both an application or applications and a registration or registrations, provided that, where the application number of any application concerned has not yet been issued or is not known to the applicant or his representative, the request otherwise identifies that application as prescribed in the Regulations.

(4) [Prohibition of Other Requirements] No Contracting Party may demand that requirements other than those referred to in paragraphs (1) to (3) be complied with in respect of the request referred to in this Article. In particular, the following may not be required:

(i) subject to paragraph (1)(c), the furnishing of any certificate of, or extract from, a register of commerce;

(f) Vsaka pogodbenica lahko zahteva, da so v zahtevi navedeni:

(i) ime in naslov imetnika;

(ii) ime in naslov novega lastnika;

(iii) ime države, katere državljan je novi lastnik, če je državljan katere države, ime države, v kateri ima novi lastnik stalno prebivališče, če ga ima, in ime države, v kateri ima novi lastnik dejansko in resno industrijsko ali trgovsko podjetje, če ga ima;

(iv) če je novi lastnik pravna oseba, pravno naravo te pravne osebe in državo, in kadar je to primerno, ozemeljsko enoto znotraj te države, po katere pravu je omenjena pravna oseba organizirana;

(v) če ima imetnik zastopnika, ime in naslov tega zastopnika;

(vi) če ima imetnik naslov za vročitev, tak naslov;

(vii) če ima novi lastnik zastopnika, ime in naslov tega zastopnika;

(viii) če se od novega lastnika zahteva po pododstavku (b) drugega odstavka 4. člena, da ima naslov za vročitev, tak naslov.

(g) Vsaka pogodbenica lahko zahteva, da se v zvezi z zahtevo uradu plača pristojbina.

(h) Ena sama zahteva zadošča tudi, če se sprememba nanaša na več registracij, pod pogojem, da sta imetnik in novi lastnik ista za vsako registracijo in da so v zahtevi navedene številke vseh zadevnih registracij.

(i) Če sprememba lastništva ne vpliva na vse blago in/ali storitve, našete v imetnikovi registraciji, in zakonodaja, ki se uporablja, dopušča vpis take spremembe, naredi urad ločeno registracijo za blago in/ali storitve, na katere se nanaša sprememba lastništva.

(2) (Jezik; prevod) (a) Vsaka pogodbenica lahko zahteva, da je zahteva, potrdilo o prenosu ali dokument o prenosu iz prvega odstavka v jeziku ali enem od jezikov, ki jih dopušča urad.

(b) Če dokumenti iz točk (i) in (ii) pododstavka (b) ter pododstavkov (c) in (e) prvega odstavka niso v jeziku ali enem od jezikov, ki jih dopušča urad, lahko vsaka pogodbenica zahteva, da je zahtevi priložen prevod ali overjen prevod zahtevanega dokumenta v jeziku ali enem od jezikov, ki jih dopušča urad.

(3) (Sprememba lastništva prijave) Prvi in drugi odstavek se smiselno uporabljata, kadar sprememba lastništva zadeva eno ali več prijav ali hkrati eno ali več prijav in eno ali več registracij, pod pogojem, da je prijava, kadar še nima številke ali ta prijavitelju oziroma njegovemu zastopniku ni znana, v zahtevi identificirana na drug način, vendar skladno s pravilnikom.

(4) (Prepoved drugih pogojev) Nobena pogodbenica ne more zahtevati, da se v zvezi z zahtevo iz tega člena izpolnijo pogoji, ki niso tisti iz prvega do tretjega odstavka. Zlasti se ne more zahtevati:

(i) ob upoštevanju pododstavka (c) prvega odstavka predložitev kakršnega koli potrdila ali izpiska iz trgovskega registra;

(ii) an indication of the new owner's carrying on of an industrial or commercial activity, as well as the furnishing of evidence to that effect;

(iii) an indication of the new owner's carrying on of an activity corresponding to the goods and/or services affected by the change in ownership, as well as the furnishing of evidence to either effect;

(iv) an indication that the holder transferred, entirely or in part, his business or the relevant goodwill to the new owner, as well as the furnishing of evidence to either effect.

(5) [Evidence] Any Contracting Party may require that evidence, or further evidence where paragraph (1)(c) or (1)(e) applies, be furnished to the Office where that Office may reasonably doubt the veracity of any indication contained in the request or in any document referred to in the present Article.

Article 12

Correction of a Mistake

(1) [Correction of a Mistake in Respect of a Registration] (a) Each Contracting Party shall accept that the request for the correction of a mistake which was made in the application or other request communicated to the Office and which mistake is reflected in its register of marks and/or any publication by the Office be made in a communication signed by the holder or his representative and indicating the registration number of the registration concerned, the mistake to be corrected and the correction to be entered. As regards the requirements concerning the presentation of the request, no Contracting Party shall refuse the request,

(i) where the request is presented in writing on paper, if it is presented, subject to subparagraph (c), on a form corresponding to the request Form provided for in the Regulations,

(ii) where the Contracting Party allows the transmittal of communications to the Office by telefacsimile and the request is so transmitted, if the paper copy resulting from such transmittal corresponds, subject to subparagraph (c), to the request Form referred to in item (i).

(b) Any Contracting Party may require that the request indicate

(i) the name and address of the holder;

(ii) where the holder has a representative, the name and address of that representative;

(iii) where the holder has an address for service, such address.

(c) Any Contracting Party may require that the request be in the language, or in one of the languages, admitted by the Office.

(d) Any Contracting Party may require that, in respect of the request, a fee be paid to the Office.

(e) A single request shall be sufficient even where the correction relates to more than one registration of the same person, provided that the mistake and the requested correction are the same for each registration and that the registration numbers of all registrations concerned are indicated in the request.

(2) [Correction of a Mistake in Respect of an Application] Paragraph (1) shall apply, *mutatis mutandis*, where the mistake concerns an application or applications, or both an application or applications and a registration or registrations, provided that, where the application number of any application concerned has not yet been issued or is not known to the applicant or his representative, the request otherwise identifies that application as prescribed in the Regulations.

(ii) navedba, da novi lastnik opravlja industrijsko ali trgovsko dejavnost, kot tudi predložitev ustreznega dokaza;

(iii) navedba, da novi lastnik opravlja dejavnost, ki se nanaša na blago in/ali storitve, na katere vpliva sprememba lastništva, kot tudi predložitev ustreznega dokaza;

(iv) navedba, da je imetnik v celoti ali delno prenesel svoje posle ali dobro ime na novega lastnika, kot tudi predložitev ustreznega dokaza.

(5) (Dokazi) Vsaka pogodbenica lahko zahteva, da se uradu predložijo dokazi, ali če se uporablja pododstavek (c) ali (e) prvega odstavka, dodatni dokazi, če urad upravičeno dvomi o verodostojnosti kake navedbe, ki jo vsebuje zahteva ali kak dokument iz tega člena.

12. člen

Popravek napake

(1) (Popravek napake v zvezi z registracijo) (a) Vsaka pogodbenica dopušča, da se postavi zahteva za popravek napake, ki je bila storjena v prijavi ali kaki drugi zahtevi, sporočeni uradu, in se odraža v njegovem registru znamk in/ali v vsaki objavi urada, v sporočilu, ki ga podpiše imetnik ali njegov zastopnik in v katerem so navedeni številka zadevne registracije, napaka, ki jo je treba popraviti, in popravek, ki ga je treba vpisati. Kar zadeva pogoje glede predložitve zahteve, te ne sme zavrniti nobena pogodbenica:

(i) kadar je zahteva predložena pisno na papirju, če je ob upoštevanju pododstavka (c) predložena na obrazcu, ki ustreza obrazcu zahteve, predvidenem v pravilniku;

(ii) kadar pogodbenica dovoli prenos sporočil uradu po telefaksu in je zahteva tako prenesena, če kopija na papirju, ki nastane ob takem prenosu, ustreza ob upoštevanju pododstavka (c) obrazcu zahteve iz točke (i).

(b) Vsaka pogodbenica lahko zahteva, da so v zahtevi navedeni:

(i) ime in naslov imetnika;

(ii) če ima imetnik zastopnika, ime in naslov tega zastopnika;

(iii) če ima imetnik naslov za vročitev, tak naslov.

(c) Vsaka pogodbenica lahko zahteva, da je zahteva v jeziku ali enem od jezikov, ki jih dopušča urad.

(d) Vsaka pogodbenica lahko zahteva, da se v zvezi z zahtevo uradu plača pristojbina.

(e) Ena sama zahteva zadošča tudi, če se popravek nanaša na več registracij iste osebe, pod pogojem, da sta napaka in zahtevani popravek ista za vsako registracijo in da so v zahtevi navedene številke vseh zadevnih registracij.

(2) (Popravek napake v zvezi s prijavo) Prvi odstavek se smiselno uporablja, kadar napaka zadeva eno ali več prijav ali hkrati eno ali več prijav in eno ali več registracij, pod pogojem, da je prijava, kadar še nima številke ali ta prijavitelju oziroma njegovemu zastopniku ni znana, v zahtevi identificirana drugače, vendar skladno s pravilnikom.

(3) [*Prohibition of Other Requirements*] No Contracting Party may demand that requirements other than those referred to in paragraphs (1) and (2) be complied with in respect of the request referred to in this Article.

(4) [*Evidence*] Any Contracting Party may require that evidence be furnished to the Office where the Office may reasonably doubt that the alleged mistake is in fact a mistake.

(5) [*Mistakes Made by the Office*] The Office of a Contracting Party shall correct its own mistakes, ex officio or upon request, for no fee.

(6) [*Uncorrectable Mistakes*] No Contracting Party shall be obliged to apply paragraphs (1), (2) and (5) to any mistake which cannot be corrected under its law.

Article 13

Duration and Renewal of Registration

(1) [*Indications or Elements Contained in or Accompanying a Request for Renewal; Fee*] (a) Any Contracting Party may require that the renewal of a registration be subject to the filing of a request and that such request contain some or all of the following indications:

- (i) an indication that renewal is sought;
- (ii) the name and address of the holder;
- (iii) the registration number of the registration concerned;
- (iv) at the option of the Contracting Party, the filing date of the application which resulted in the registration concerned or the registration date of the registration concerned;
- (v) where the holder has a representative, the name and address of that representative;
- (vi) where the holder has an address for service, such address;

(vii) where the Contracting Party allows the renewal of a registration to be made for some only of the goods and/or services which are recorded in the register of marks and such a renewal is requested, the names of the recorded goods and/or services for which the renewal is requested or the names of the recorded goods and/or services for which the renewal is not requested, grouped according to the classes of the Nice Classification, each group preceded by the number of the class of that Classification to which that group of goods or services belongs and presented in the order of the classes of the said Classification;

(viii) where a Contracting Party allows a request for renewal to be filed by a person other than the holder or his representative and the request is filed by such a person, the name and address of that person;

(ix) a signature by the holder or his representative or, where item (viii) applies, a signature by the person referred to in that item.

(b) Any Contracting Party may require that, in respect of the request for renewal, a fee be paid to the Office. Once the fee has been paid in respect of the initial period of the registration or of any renewal period, no further payment may be required for the maintenance of the registration in respect of that period. Fees associated with the furnishing of a declaration and/or evidence of use shall not be regarded, for the purposes of this subparagraph, as payments required for the maintenance of the registration and shall not be affected by this subparagraph.

(c) Any Contracting Party may require that the request for renewal be presented, and the corresponding fee referred to in subparagraph (b) be paid, to the Office within the period fixed by the law of the Contracting Party, subject to the minimum periods prescribed in the Regulations.

(3) (*Prepoved drugih pogojev*) Nobena pogodbenica ne more zahtevati, da se v zvezi z zahtevo iz tega člena izpolnijo pogoji, ki niso tisti iz prvega in drugega odstavka.

(4) (*Dokazi*) Vsaka pogodbenica lahko zahteva, da se uradu predložijo dokazi, če urad upravičeno dvomi, da je navedena napaka dejansko napaka.

(5) (*Napake, ki jih naredi urad*) Urad pogodbenice popravi svoje napake po uradni dolžnosti ali na zahtevo brez plačila pristojbine.

(6) (*Nepopravljive napake*) Nobena pogodbenica ni zavezana uporabljati prvega, drugega in petega odstavka za napake, ki po njenem pravu ne morejo biti popravljene.

13. člen

Trajanje in podaljšanje veljavnosti registracije

(1) (*Navedbe ali elementi, ki jih vsebuje zahteva za podaljšanje veljavnosti ali so k njej priloženi; pristojbina*) (a) Vsaka pogodbenica lahko zahteva, da je za podaljšanje veljavnosti registracije treba vložiti zahtevo in da taka zahteva vsebuje nekatere ali vse od naslednjih navedb:

- (i) navedbo, da se zahteva podaljšanje veljavnosti;
- (ii) ime in naslov imetnika;
- (iii) številko zadevne registracije;
- (iv) po izbiri pogodbenice datum vložitve prijave, ki je podlaga za zadevno registracijo, ali datum zadevne registracije;
- (v) če ima imetnik zastopnika, ime in naslov tega zastopnika;
- (vi) če ima imetnik naslov za vročitev, tak naslov;

(vii) če pogodbenica dovoli podaljšanje veljavnosti registracije samo za nekatere vrste blaga in/ali storitev, ki so vpisane v register znamk, in se tako podaljšanje zahteva, imena vpisanega blaga in/ali storitev, za katere se zahteva podaljšanje, ali imena vpisanega blaga in/ali storitev, za katere se ne zahteva podaljšanje, ki so razvrščeni v skupine po razredih Nicejske klasifikacije, s tem da je pred vsako skupino številka razreda klasifikacije, ki mu skupina blaga ali storitev pripada, in da je skupina predstavljena po vrstnem redu razredov omenjene klasifikacije;

(viii) če pogodbenica dovoli, da zahtevo za podaljšanje veljavnosti vloži oseba, ki ni imetnik ali njegov zastopnik, in taka oseba vloži zahtevo, ime in naslov te osebe;

(ix) podpis imetnika oziroma njegovega zastopnika, ali če se uporablja točka (viii), podpis osebe iz te točke.

(b) Vsaka pogodbenica lahko zahteva, da se v zvezi z zahtevo za podaljšanje veljavnosti uradu plača pristojbina. Po plačilu pristojbine za začetno obdobje registracije ali za vsako podaljšano obdobje se za to obdobje ne more zahtevati nikakršno nadaljnje plačilo za vzdrževanje registracije. Pristojbine v zvezi s predložitvijo izjave in/ali dokaza o uporabi se za namene tega pododstavka ne obravnavajo kot plačila za vzdrževanje registracije in nanje ta pododstavek ne vpliva.

(c) Vsaka pogodbenica lahko zahteva, da se zahteva za podaljšanje veljavnosti predloži in ustrezna pristojbina iz pododstavka (b) plača uradu v roku, ki ga določa zakonodaja pogodbenice, ob upoštevanju najkrajših rokov, predpisanih v pravilniku.

(2) [*Presentation*] As regards the requirements concerning the presentation of the request for renewal, no Contracting Party shall refuse the request,

(i) where the request is presented in writing on paper, if it is presented, subject to paragraph (3), on a form corresponding to the request Form provided for in the Regulations,

(ii) where the Contracting Party allows the transmittal of communications to the Office by telefacsimile and the request is so transmitted, if the paper copy resulting from such transmittal corresponds, subject to paragraph (3), to the request Form referred to in item (i).

(3) [*Language*] Any Contracting Party may require that the request for renewal be in the language, or in one of the languages, admitted by the Office.

(4) [*Prohibition of Other Requirements*] No Contracting Party may demand that requirements other than those referred to in paragraphs (1) to (3) be complied with in respect of the request for renewal. In particular, the following may not be required:

(i) any reproduction or other identification of the mark;

(ii) the furnishing of evidence to the effect that the mark has been registered, or that its registration has been renewed, in the register of marks of any other Contracting Party;

(iii) the furnishing of a declaration and/or evidence concerning use of the mark.

(5) [*Evidence*] Any Contracting Party may require that evidence be furnished to the Office in the course of the examination of the request for renewal where the Office may reasonably doubt the veracity of any indication or element contained in the request for renewal.

(6) [*Prohibition of Substantive Examination*] No Office of a Contracting Party may, for the purposes of effecting the renewal, examine the registration as to substance.

(7) [*Duration*] The duration of the initial period of the registration, and the duration of each renewal period, shall be 10 years.

Article 14

Observations in Case of Intended Refusal

An application or a request under Articles 10 to 13 may not be refused totally or in part by an Office without giving the applicant or the requesting party, as the case may be, an opportunity to make observations on the intended refusal within a reasonable time limit.

Article 15

Obligation to Comply with the Paris Convention

Any Contracting Party shall comply with the provisions of the Paris Convention which concern marks.

Article 16

Service Marks

Any Contracting Party shall register service marks and apply to such marks the provisions of the Paris Convention which concern trademarks.

Article 17

Regulations

(1) [*Content*] (a) The Regulations annexed to this Treaty provide rules concerning

(i) matters which this Treaty expressly provides to be "prescribed in the Regulations";

(2) (*Predložitev*) Kar zadeva pogoje glede predložitve zahteve za podaljšanje veljavnosti, ne sme nobena pogodbenica te zavrniti:

(i) kadar je predložena pisno na papirju, če je ob upoštevanju tretjega odstavka predložena na obrazcu, ki ustreza obrazcu zahteve, predvidenem v pravilniku;

(ii) kadar pogodbenica dovoli prenos sporočil uradu po telefaksu in je zahteva tako prenesena, če kopija na papirju, ki nastane ob takem prenosu, ustreza ob upoštevanju tretjega odstavka obrazcu zahteve iz točke (i).

(3) (*Jezik*) Vsaka pogodbenica lahko zahteva, da je zahteva za podaljšanje veljavnosti v jeziku ali enem od jezikov, ki jih dopušča urad.

(4) (*Prepoved drugih pogojev*) Nobena pogodbenica ne more zahtevati, da se v zvezi z zahtevo za podaljšanje veljavnosti izpolnijo pogoji, ki niso tisti iz prvega do tretjega odstavka. Zlasti se ne more zahtevati:

(i) reprodukcija ali drugačna identifikacija znamke;

(ii) predložitev dokaza, da je bila znamka registrirana ali da je bila veljavnost njene registracije podaljšana v registru znank druge pogodbenice;

(iii) predložitev izjave in/ali dokaza v zvezi z uporabo znamke.

(5) (*Dokazi*) Vsaka pogodbenica lahko zahteva, da se med preizkusom zahteve za podaljšanje veljavnosti uradu predložijo dokazi, če urad upravičeno dvomi o verodostojnosti kake navedbe ali elementa, ki ga vsebuje zahteva za podaljšanje veljavnosti.

(6) (*Prepoved vsebinskega preizkusa*) Noben urad pogodbenice ne sme zaradi podaljšanja veljavnosti preizkusiti registracije glede vsebine.

(7) (*Trajanje*) Začetno obdobje registracije in vsako podaljšano obdobje trajata po 10 let.

14. člen

Pripombe v primeru nameravane zavrnitve

Prijave ali zahteve po členih od 10 do 13 urad ne sme popolnoma ali delno zavrniti, ne da bi dal prijavitelju oziroma vložniku zahteve, odvisno od primera, priložnost, da da pripombe k nameravani zavrnitvi v razumnem roku.

15. člen

Obveznost upoštevanja Pariške konvencije

Vsaka pogodbenica upošteva določbe Pariške konvencije, ki se nanašajo na znamke.

16. člen

Storitvene znamke

Vsaka pogodbenica registrira storitvene znamke in zanje uporablja določbe Pariške konvencije, ki se nanašajo na blagovne znamke.

17. člen

Pravilnik

(1) (*Vsebina*) (a) Pravilnik, ki je priloga k tej pogodbi, določa pravila, ki se nanašajo na:

(i) zadeve, za katere ta pogodba izrecno določa, da so "predpisane v pravilniku";

(ii) any details useful in the implementation of the provisions of this Treaty;

(iii) any administrative requirements, matters or procedures.

(b) The Regulations also contain Model International Forms.

(2) [*Conflict Between the Treaty and the Regulations*] In the case of conflict between the provisions of this Treaty and those of the Regulations, the former shall prevail.

Article 18

Revision; Protocols

(1) [*Revision*] This Treaty may be revised by a diplomatic conference.

(2) [*Protocols*] For the purposes of further developing the harmonization of laws on marks, protocols may be adopted by a diplomatic conference insofar as those protocols do not contravene the provisions of this Treaty.

Article 19

Becoming Party to the Treaty

(1) [*Eligibility*] The following entities may sign and, subject to paragraphs (2) and (3) and Article 20(1) and 20(3), become party to this Treaty:

(i) any State member of the Organization in respect of which marks may be registered with its own Office;

(ii) any intergovernmental organization which maintains an Office in which marks may be registered with effect in the territory in which the constituting treaty of the intergovernmental organization applies, in all its member States or in those of its member States which are designated for such purpose in the relevant application, provided that all the member States of the intergovernmental organization are members of the Organization;

(iii) any State member of the Organization in respect of which marks may be registered only through the Office of another specified State that is a member of the Organization;

(iv) any State member of the Organization in respect of which marks may be registered only through the Office maintained by an intergovernmental organization of which that State is a member;

(v) any State member of the Organization in respect of which marks may be registered only through an Office common to a group of States members of the Organization.

(2) [*Ratification or Accession*] Any entity referred to in paragraph (1) may deposit

(i) an instrument of ratification, if it has signed this Treaty,

(ii) an instrument of accession, if it has not signed this Treaty.

(3) [*Effective Date of Deposit*] (a) Subject to subparagraph (b), the effective date of the deposit of an instrument of ratification or accession shall be,

(i) in the case of a State referred to in paragraph (1)(i), the date on which the instrument of that State is deposited;

(ii) in the case of an intergovernmental organization, the date on which the instrument of that intergovernmental organization is deposited;

(iii) in the case of a State referred to in paragraph (1)(iii), the date on which the following condition is fulfilled: the instrument of that State has been deposited and the instrument of the other, specified State has been deposited;

(ii) vse podrobnosti, uporabne za izvajanje določb te pogodbe;

(iii) vse upravne pogoje, zadeve ali postopke.

(b) Pravilnik vsebuje tudi vzorce mednarodnih obrazcev.

(2) (*Neskladje med pogodbo in pravilnikom*) Ob neskladju med določbami te pogodbe in pravilnika veljajo določbe pogodbe.

18. člen

Revizija; protokoli

(1) (*Revizija*) Ta pogodba se lahko revidira z diplomatsko konferenco.

(2) (*Protokoli*) Zaradi nadaljnega razvijanja harmonizacije prava znamk lahko diplomatska konferenca sprejme protokole, če ti ne nasprotujejo določbam te pogodbe.

19. člen

Kako postati pogodbenica pogodbe

(1) (*Upravičenost*) Naslednji subjekti lahko podpišejo in ob upoštevanju drugega in tretjega odstavka tega člena ter prvega in tretjega odstavka 20. člena postanejo pogodbenice te pogodbe:

(i) vsaka država članica Organizacije, za katero se lahko registrirajo znamke pri njenem lastnem uradu;

(ii) vsaka medvladna organizacija, ki vzdržuje urad, pri katerem se lahko registrirajo znamke, ki veljajo na ozemlju, na katerem se uporablja ustanovna pogodba medvladne organizacije, v vseh njenih državah članicah ali v tistih državah članicah, ki so imenovane s tem namenom v zadevni prijavi, pod pogojem, da so vse države članice medvladne organizacije članice Organizacije;

(iii) vsaka država članica Organizacije, za katero so lahko znamke registrirane samo prek urada druge imenovane države, ki je članica Organizacije;

(iv) vsaka država članica Organizacije, za katero so lahko znamke registrirane samo prek urada, ki ga vzdržuje medvladna organizacija, katere članica je ta država;

(v) vsaka država članica Organizacije, za katero so lahko znamke registrirane samo prek skupnega urada skupine držav članic Organizacije.

(2) (*Ratifikacija ali pristop*) Vsak subjekt iz prvega odstavka lahko deponira:

(i) listino o ratifikaciji, če je podpisal to pogodbo,

(ii) listino o pristopu, če ni podpisal te pogodbe.

(3) (*Datum začetka veljavnosti deponiranja*) (a) Ob upoštevanju pododstavka (b) je datum začetka veljavnosti deponiranja listine o ratifikaciji ali pristopu:

(i) za državo iz točke (i) prvega odstavka datum, ko je bila deponirana listina te države;

(ii) za medvladno organizacijo datum, ko je bila deponirana listina medvladne organizacije;

(iii) za državo iz točke (iii) prvega odstavka datum, ko je bil izpolnjen naslednji pogoj: da je bila deponirana listina te države in da je bila deponirana listina druge imenovane države;

(iv) in the case of a State referred to in paragraph (1)(iv), the date applicable under (ii), above;

(v) in the case of a State member of a group of States referred to in paragraph (1)(v), the date on which the instruments of all the States members of the group have been deposited.

(b) Any instrument of ratification or accession (referred to in this subparagraph as "instrument") of a State may be accompanied by a declaration making it a condition to its being considered as deposited that the instrument of one other State or one intergovernmental organization, or the instruments of two other States, or the instruments of one other State and one intergovernmental organization, specified by name and eligible to become party to this Treaty, is or are also deposited. The instrument containing such a declaration shall be considered to have been deposited on the day on which the condition indicated in the declaration is fulfilled. However, when the deposit of any instrument specified in the declaration is, itself, accompanied by a declaration of the said kind, that instrument shall be considered as deposited on the day on which the condition specified in the latter declaration is fulfilled.

(c) Any declaration made under paragraph (b) may be withdrawn, in its entirety or in part, at any time. Any such withdrawal shall become effective on the date on which the notification of withdrawal is received by the Director General.

Article 20

Effective Date of Ratifications and Accessions

(1) [*Instruments to Be Taken Into Consideration*] For the purposes of this Article, only instruments of ratification or accession that are deposited by entities referred to in Article 19(1) and that have an effective date according to Article 19(3) shall be taken into consideration.

(2) [*Entry Into Force of the Treaty*] This Treaty shall enter into force three months after five States have deposited their instruments of ratification or accession.

(3) [*Entry Into Force of Ratifications and Accessions Subsequent to the Entry Into Force of the Treaty*] Any entity not covered by paragraph (2) shall become bound by this Treaty three months after the date on which it has deposited its instrument of ratification or accession.

Article 21

Reservations

(1) [*Special Kinds of Marks*] Any State or intergovernmental organization may declare through a reservation that, notwithstanding Article 2(1)(a) and 2(2)(a), any of the provisions of Articles 3(1) and 3(2), 5, 7, 11 and 13 shall not apply to associated marks, defensive marks or derivative marks. Such reservation shall specify those of the aforementioned provisions to which the reservation relates.

(2) [*Modalities*] Any reservation under paragraph (1) shall be made in a declaration accompanying the instrument of ratification of, or accession to, this Treaty of the State or intergovernmental organization making the reservation.

(3) [*Withdrawal*] Any reservation under paragraph (1) may be withdrawn at any time.

(4) [*Prohibition of Other Reservations*] No reservation to this Treaty other than the reservation allowed under paragraph (1) shall be permitted.

(iv) za državo iz točke (iv) prvega odstavka datum, ki velja po točki (ii) zgoraj;

(v) za državo članico skupine držav iz točke (v) prvega odstavka datum, ko so bile deponirane listine vseh držav članic skupine.

(b) Vsaki listini o ratifikaciji ali pristopu (v nadaljevanju tega pododstavka "listina") neke države je lahko dodana izjava, ki kot pogoj za to, da se listina šteje za deponirano, zahteva, da je deponirana tudi listina neke druge države ali medvladne organizacije ali sta deponirani listini dveh drugih držav ali listini druge države in medvladne organizacije, katerih imena so navedena in so upravičene, da podstanejo pogodbenice te pogodbe. Šteje se, da je listina, ki ji je dodana taka izjava, deponirana na dan, ko je izpolnjen pogoj, naveden v izjavi. Če pa samo deponiranje listine, navedene v izjavi, spremlja take vrste izjava, se šteje, da je bila ta listina deponirana na dan, ko je bil izpolnjen pogoj, naveden v tej izjavi.

(c) Vsako izjavo po pododstavku (b) je mogoče kadar koli v celoti ali delno umakniti. Vsak tak umik začne veljati na dan, ko generalni direktor prejme uradno obvestilo o umiku.

20. člen

Datum začetka veljavnosti ratifikacij in pristopov

(1) (*Listine, ki jih je treba upoštevati*) Za namene tega člena se upoštevajo samo listine o ratifikaciji ali pristopu, ki jih deponirajo subjekti iz prvega odstavka 19. člena in imajo datum začetka veljavnosti v skladu s tretjim odstavkom 19. člena.

(2) (*Začetek veljavnosti pogodbe*) Ta pogodba začne veljati tri mesece po tem, ko je pet držav deponiralo svoje listine o ratifikaciji ali pristopu.

(3) (*Začetek veljavnosti ratifikacij in pristopov po začetku veljavnosti pogodbe*) Vsak subjekt, ki ni zajet v drugem odstavku, postane zavezan s to pogodbo tri mesece po datumu, ko je deponiral svojo listino o ratifikaciji ali pristopu.

21. člen

Pridržki

(1) (*Posebne vrste znamk*) Vsaka država ali medvladna organizacija lahko v pridržku izjavi, da se ne glede na pododstavek (a) prvega odstavka 2. člena in pododstavek (a) drugega odstavka 2. člena katera od določb prvega in drugega odstavka 3. člena, 5., 7., 11. in 13. člena ne uporablja za združene znamke, branilne znamke ali izpeljane znamke. V takih pridržkih morajo biti navedene zgoraj omenjene določbe, na katere se pridržek nanaša.

(2) (*Načini*) Vsak pridržek po prvem odstavku mora biti vsebovan v izjavi, ki spremlja listino o ratifikaciji te pogodbe ali pristopu k njej, ki jo vloži država ali medvladna organizacija, ki izrazi pridržek.

(3) (*Umik*) Vsak pridržek po prvem odstavku se lahko kadar koli umakne.

(4) (*Prepoved drugih pridržkov*) Razen pridržkov, ki so dovoljeni po prvem odstavku, niso dovoljeni nobeni drugi pridržki k tej pogodbi.

Article 22

Transitional Provisions

(1) [*Single Application for Goods and Services in Several Classes; Division of Application*] (a) Any State or intergovernmental organization may declare that, notwithstanding Article 3(5), an application may be filed with the Office only in respect of goods or services which belong to one class of the Nice Classification.

(b) Any State or intergovernmental organization may declare that, notwithstanding Article 6, where goods and/or services belonging to several classes of the Nice Classification have been included in one and the same application, such application shall result in two or more registrations in the register of marks, provided that each and every such registration shall bear a reference to all other such registrations resulting from the said application.

(c) Any State or intergovernmental organization that has made a declaration under subparagraph (a) may declare that, notwithstanding Article 7(1), no application may be divided.

(2) [*Single Power of Attorney for More Than One Application and/or Registration*] Any State or intergovernmental organization may declare that, notwithstanding Article 4(3)(b), a power of attorney may only relate to one application or one registration.

(3) [*Prohibition of Requirement of Certification of Signature of Power of Attorney and of Signature of Application*] Any State or intergovernmental organization may declare that, notwithstanding Article 8(4), the signature of a power of attorney or the signature by the applicant of an application may be required to be the subject of an attestation, notarization, authentication, legalization or other certification.

(4) [*Single Request for More Than One Application and/or Registration in Respect of a Change in Name and/or Address, a Change in Ownership or a Correction of a Mistake*] Any State or intergovernmental organization may declare that, notwithstanding Article 10(1)(e), 10(2) and 10(3), Article 11(1)(h) and 11(3) and Article 12(1)(e) and 12(2), a request for the recordal of a change in name and/or address, a request for the recordal of a change in ownership and a request for the correction of a mistake may only relate to one application or one registration.

(5) [*Furnishing, on the Occasion of Renewal, of Declaration and/or Evidence Concerning Use*] Any State or intergovernmental organization may declare that, notwithstanding Article 13(4)(iii), it will require, on the occasion of renewal, the furnishing of a declaration and/or of evidence concerning use of the mark.

(6) [*Substantive Examination on the Occasion of Renewal*] Any State or intergovernmental organization may declare that, notwithstanding Article 13(6), the Office may, on the occasion of the first renewal of a registration covering services, examine such registration as to substance, provided that such examination shall be limited to the elimination of multiple registrations based on applications filed during a period of six months following the entry into force of the law of such State or organization that introduced, before the entry into force of this Treaty, the possibility of registering service marks.

(7) [*Common Provisions*] (a) A State or an intergovernmental organization may make a declaration under paragraphs (1) to (6) only if, at the time of depositing its instrument of ratification of, or accession to, this Treaty, the continued application of its law would, without such a declaration, be contrary to the relevant provisions of this Treaty.

22. člen

Prehodne določbe

(1) (*Ena sama prijava za blago in storitve v različnih razredih; delitev prijave*) (a) Vsaka država ali medvladna organizacija lahko izjavi, da se ne glede na peti odstavek 3. člena pri uradu lahko vloži prijava le za blago ali storitve, ki spadajo v en razred Nicejske klasifikacije.

(b) Vsaka država ali medvladna organizacija lahko izjavi, da je ne glede na 6. člen v primeru, ko so blago in/ali storitve, ki spadajo v različne razrede Nicejske klasifikacije, vključeni v eno in isto prijavo, posledica take prijave dve ali več registracij v registru znamk pod pogojem, da vsaka od teh registracij vsebuje navedbo vseh drugih registracij, ki so posledica omenjene prijave.

(c) Vsaka država ali medvladna organizacija, ki je dala izjavo po pododstavku (a), lahko izjavi, da ne glede na prvi odstavek 7. člena nobena prijava ne sme biti razdeljena.

(2) (*Eno samo pooblastilo za več prijav in/ali registracij*) Vsaka država ali medvladna organizacija lahko izjavi, da se ne glede na pododstavek (b) tretjega odstavka 4. člena pooblastilo lahko nanaša le na eno prijavo ali eno registracijo.

(3) (*Prepoved zahteve za overitev podpisa pooblastila in podpisa prijave*) Vsaka država ali medvladna organizacija lahko izjavi, da ne glede na četrti odstavek 8. člena lahko zahteva, da je podpis pooblastila ali prijaviteljev podpis prijave potrjen, notarsko ali kako drugače overjen, legaliziran ali kako drugače certificiran.

(4) (*Ena sama zahteva za več prijav in/ali registracij v zvezi s spremembo imena in/ali naslova, spremembo lastništva ali popravkom napake*) Vsaka država ali medvladna organizacija lahko izjavi, da se ne glede na pododstavek (e) prvega odstavka 10. člena, drugi in tretji odstavek 10. člena, pododstavek (h) prvega odstavka 11. člena in tretji odstavek 11. člena ter pododstavek (e) prvega odstavka 12. člena in drugi odstavek 12. člena zahteva za vpis spremembe imena in/ali naslova, zahteva za vpis spremembe lastništva ali zahteva za popravek napake lahko nanaša samo na eno prijavo ali eno registracijo.

(5) (*Predložitev izjave in/ali dokaza o uporabi ob podaljšanju veljavnosti*) Vsaka država ali medvladna organizacija lahko izjavi, da bo ne glede na točko (iii) četrtega odstavka 13. člena ob podaljšanju veljavnosti zahtevala predložitev izjave in/ali dokaza o uporabi znamke.

(6) (*Vsebinski preizkus ob podaljšanju veljavnosti*) Vsaka država ali medvladna organizacija lahko izjavi, da lahko urad ne glede na šesti odstavek 13. člena ob prvem podaljšanju veljavnosti registracije, ki se nanaša na storitve, preizkusi tako registracijo glede vsebine pod pogojem, da je tak preizkus omejen na delitev večkratnih registracij, temelječih na prijavih, ki so bile vložene v obdobju šestih mesecev po začetku veljavnosti zakonodaje take države ali organizacije, ki je pred začetkom veljavnosti te pogodbe uvedla možnost registriranja storitvenih znamk.

(7) (*Skupne določbe*) (a) Država ali medvladna organizacija lahko da izjavo po odstavkih od ena do šest, le če bi bila ob deponiranju njene listine o ratifikaciji te pogodbe ali pristopu k njej nadaljnja uporaba njene zakonodaje brez take izjave v nasprotju z ustreznimi določbami te pogodbe.

(b) Any declaration under paragraphs (1) to (6) shall accompany the instrument of ratification of, or accession to, this Treaty of the State or intergovernmental organization making the declaration.

(c) Any declaration made under paragraphs (1) to (6) may be withdrawn at any time.

(8) [Loss of Effect of Declaration] (a) Subject to subparagraph (c), any declaration made under paragraphs (1) to (5) by a State regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations, or by an intergovernmental organization each member of which is such a State, shall lose its effect at the end of a period of eight years from the date of entry into force of this Treaty.

(b) Subject to subparagraph (c), any declaration made under paragraphs (1) to (5) by a State other than a State referred to in subparagraph (a), or by an intergovernmental organization other than an intergovernmental organization referred to in subparagraph (a), shall lose its effect at the end of a period of six years from the date of entry into force of this Treaty.

(c) Where a declaration made under paragraphs (1) to (5) has not been withdrawn under paragraph (7)(c), or has not lost its effect under subparagraph (a) or (b), before October 28, 2004, it shall lose its effect on October 28, 2004.

(9) [Becoming Party to the Treaty] Until December 31, 1999, any State which, on the date of the adoption of this Treaty, is a member of the International (Paris) Union for the Protection of Industrial Property without being a member of the Organization may, notwithstanding Article 19(1)(i), become a party to this Treaty if marks may be registered with its own Office.

Article 23

Denunciation of the Treaty

(1) [Notification] Any Contracting Party may denounce this Treaty by notification addressed to the Director General.

(2) [Effective Date] Denunciation shall take effect one year from the date on which the Director General has received the notification. It shall not affect the application of this Treaty to any application pending or any mark registered in respect of the denouncing Contracting Party at the time of the expiration of the said one-year period, provided that the denouncing Contracting Party may, after the expiration of the said one-year period, discontinue applying this Treaty to any registration as from the date on which that registration is due for renewal.

Article 24

Languages of the Treaty; Signature

(1) [Original Texts; Official Texts] (a) This Treaty shall be signed in a single original in the English, Arabic, Chinese, French, Russian and Spanish languages, all texts being equally authentic.

(b) At the request of a Contracting Party, an official text in a language not referred to in subparagraph (a) that is an official language of that Contracting Party shall be established by the Director General after consultation with the said Contracting Party and any other interested Contracting Party.

(2) [Time Limit for Signature] This Treaty shall remain open for signature at the headquarters of the Organization for one year after its adoption.

(b) Vsaka izjava po odstavkih od ena do šest spremlja listino o ratifikaciji te pogodbe ali pristopu k njej, ki jo vložijo država ali medvladna organizacija, ki da izjavo.

(c) Izjava po odstavkih od ena do šest se lahko kadar koli umakne.

(8) (Prenehanje veljavnosti izjave) (a) Ob upoštevanju pododstavka (c) vsaka izjava po odstavkih od ena do pet, ki jo da država, ki velja za državo v razvoju po ustaljeni praksi Generalne skupščine Združenih narodov, ali medvladna organizacija, katere vsaka članica je taka država, preneha veljati po osmih letih od datuma začetka veljavnosti te pogodbe.

(b) Ob upoštevanju pododstavka (c) vsaka izjava po odstavkih od ena do pet, ki jo da država, ki ni država iz pododstavka (a), ali medvladna organizacija, ki ni organizacija iz pododstavka (a), preneha veljati ob poteku šestih let po datumu začetka veljavnosti te pogodbe.

(c) Če izjava, dana po odstavkih od ena do pet, ni bila umaknjena po pododstavku (c) sedmega odstavka ali ni prenehala veljati po pododstavku (a) ali (b) pred 28. oktobrom 2004, preneha veljati 28. oktobra 2004.

(9) (Kako postati pogodbenica pogodbe) Vsaka država, ki je na dan, ko je bila ta pogodba sprejeta, članica Mednarodne (Pariške) unije za varstvo industrijske lastnine, ni pa članica Organizacije, lahko ne glede na točko (i) prvega odstavka 19. člena do 31. decembra 1999 postane pogodbenica te pogodbe, če se lahko znamke registrirajo pri njenem lastnem uradu.

23. člen

Odpoved pogodbe

(1) (Uradno obvestilo) Vsaka pogodbenica lahko z uradnim obvestilom, naslovljenim na generalnega direktorja, odpove to pogodbo.

(2) (Začetek veljavnosti) Odpoved začne veljati eno leto po datumu, ko je generalni direktor prejel uradno obvestilo. Odpoved ne vpliva na uporabo te pogodbe za prijave, ki so ob poteku enoletnega roka še nerešene, ali znamke, ki so ob poteku tega roka registrirane za pogodbenico, ki daje odpoved, s tem da lahko ta po poteku omenjenega enoletnega roka preneha uporabljati to pogodbo za registracije z dnem, ko bi jim bilo treba podaljšati veljavnost.

24. člen

Jeziki pogodbe; podpis

1) (Izvirna besedila; uradna besedila) (a) Ta pogodba se podpiše v enem izvorniku v angleškem, arabskem, francoskem, kitajskem, ruskem in španskem jeziku, pri čemer so vsa besedila enako verodostojna.

(b) Na zahtevo pogodbenice uradno besedilo v jeziku, ki ni tisti iz pododstavka (a), je pa uradni jezik te pogodbenice, določi generalni direktor po posvetu z omenjeno pogodbenico in z vsako drugo zainteresirano pogodbenico.

(2) (Rok za podpis) Ta pogodba je na voljo za podpis na sedežu Organizacije eno leto po tem, ko je bila sprejeta.

Article 25

Depositary

The Director General shall be the depositary of this Treaty.

REGULATIONS UNDER THE TRADEMARK LAW TREATY

Rule 1

Abbreviated Expressions

(1) [*“Treaty”*; *“Article”*] (a) In these Regulations, the word “Treaty” means the Trademark Law Treaty.

(b) In these Regulations, the word <Article> refers to the specified Article of the Treaty.

(2) [*Abbreviated Expressions Defined in the Treaty*] The abbreviated expressions defined in Article 1 for the purposes of the Treaty shall have the same meaning for the purposes of the Regulations.

Rule 2

Manner of Indicating Names and Addresses

(1) [*Names*] (a) Where the name of a person is to be indicated, any Contracting Party may require,

(i) where the person is a natural person, that the name to be indicated be the family or principal name and the given or secondary name or names of that person or that the name to be indicated be, at that person’s option, the name or names customarily used by the said person;

(ii) where the person is a legal entity, that the name to be indicated be the full official designation of the legal entity.

(b) Where the name of a representative which is a firm or partnership is to be indicated, any Contracting Party shall accept as indication of the name the indication that the firm or partnership customarily uses.

(2) [*Addresses*] (a) Where the address of a person is to be indicated, any Contracting Party may require that the address be indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and, in any case, consist of all the relevant administrative units up to, and including, the house or building number, if any.

(b) Where a communication to the Office of a Contracting Party is in the name of two or more persons with different addresses, that Contracting Party may require that such communication indicate a single address as the address for correspondence.

(c) The indication of an address may contain a telephone number and a telefacsimile number and, for the purposes of correspondence, an address different from the address indicated under subparagraph (a).

(d) Subparagraphs (a) and (c) shall apply, *mutatis mutandis*, to addresses for service.

(3) [*Script to Be Used*] Any Contracting Party may require that any indication referred to in paragraphs (1) and (2) be in the script used by the Office.

Rule 3

Details Concerning the Application

(1) [*Standard Characters*] Where, pursuant to Article 3(1)(a)(ix), the application contains a statement to the effect that the applicant wishes that the mark be registered and published in the standard characters used by the Office of the Contracting Party, the Office shall register and publish that mark in such standard characters.

25. člen

Depozitar

Generalni direktor je depozitar te pogodbe.

PRAVILNIK PO POGODBI O PRAVU ZNAMK

1. pravilo

Skrajšani izrazi

(1) (*“Pogodba”*; *“člen”*) (a) V tem pravilniku beseda “pogodba” pomeni Pogodbo o pravu znamk.

(b) V tem pravilniku se beseda “člen” nanaša na določen člen pogodbe.

(2) (*Skrajšani izrazi, opredeljeni v pogodbi*) Skrajšani izrazi, opredeljeni v 1. členu za namene pogodbe, imajo isti pomen za namene pravilnika.

2. pravilo

Način navajanja imen in naslovov

(1) (*Imena*) (a) Kadar je treba navesti ime neke osebe, lahko vsaka pogodbenica zahteva:

(i) kadar gre za fizično osebo, da je ime, ki ga je treba navesti, priimek ali glavno ime in prvo ali dodatno ime oziroma imena te osebe, ali da je ime, ki ga je treba navesti, po izbiri te osebe ime ali imena, ki jih omenjena oseba običajno uporablja;

(ii) kadar gre za pravno osebo, da je ime, ki ga je treba navesti, popolno uradno ime pravne osebe.

(b) Kadar je treba navesti ime zastopnika, ki so gospodarska družba ali družabniki, sprejme vsaka pogodbenica za navedbo imena oznako, ki jo ta gospodarska družba ali družabniki običajno uporabljajo.

(2) (*Naslovi*) (a) Kadar je treba navesti naslov neke osebe, lahko vsaka pogodbenica zahteva, da je naveden tako, da izpolnjuje običajne pogoje za hitro poštno dostavo na navedeni naslov, in da v vsakem primeru vključuje vse ustrezne administrativne podatke vse do hišne številke in vključno z njo ali številko stavbe, če ta obstaja.

(b) Kadar je sporočilo poslano uradu pogodbenice v imenu dveh ali več oseb z različnimi naslovi, lahko pogodbenica zahteva, da je v takem sporočilu naveden en sam naslov kot naslov za dopisovanje.

(c) Navedba naslova lahko vključuje številke telefona in telefaksa ter za namene dopisovanja naslov, ki je drugačen od tistega, ki je naveden v pododstavku (a).

(d) Pododstavka (a) in (c) se smiselno uporabljata za naslove za vročitev.

(3) (*Pisava, ki se uporablja*) Vsaka pogodbenica lahko zahteva, da so navedbe iz prvega in drugega odstavka v pisavi jezika, ki ga uporablja urad.

3. pravilo

Podrobnosti v zvezi s prijavo

(1) (*Standardni znaki*) Kadar prijava v skladu s točko (ix) pododstavka (a) prvega odstavka 3. člena vsebuje izjavo, da prijavitelj želi, da bi bila znamka registrirana in objavljena v standardnih znakih, ki jih uporablja urad pogodbenice, urad registrira in objavi to znamko v takih standardnih znakih.

(2) [Number of Reproductions] (a) Where the application does not contain a statement to the effect that the applicant wishes to claim color as a distinctive feature of the mark, a Contracting Party may not require more than

(i) five reproductions of the mark in black and white where the application may not, under the law of that Contracting Party, or does not contain a statement to the effect that the applicant wishes the mark to be registered and published in the standard characters used by the Office of the said Contracting Party;

(ii) one reproduction of the mark in black and white where the application contains a statement to the effect that the applicant wishes the mark to be registered and published in the standard characters used by the Office of that Contracting Party.

(b) Where the application contains a statement to the effect that the applicant wishes to claim color as a distinctive feature of the mark, a Contracting Party may not require more than five reproductions of the mark in black and white and five reproductions of the mark in color.

(3) [Reproduction of a Three-Dimensional Mark] (a) Where, pursuant to Article 3(1)(a)(xi), the application contains a statement to the effect that the mark is a three-dimensional mark, the reproduction of the mark shall consist of a two-dimensional graphic or photographic reproduction.

(b) The reproduction furnished under subparagraph (a) may, at the option of the applicant, consist of one single view of the mark or of several different views of the mark.

(c) Where the Office considers that the reproduction of the mark furnished by the applicant under subparagraph (a) does not sufficiently show the particulars of the three-dimensional mark, it may invite the applicant to furnish, within a reasonable time limit fixed in the invitation, up to six different views of the mark and/or a description by words of that mark.

(d) Where the Office considers that the different views and/or the description of the mark referred to in subparagraph (c) still do not sufficiently show the particulars of the three-dimensional mark, it may invite the applicant to furnish, within a reasonable time limit fixed in the invitation, a specimen of the mark.

(e) Paragraph (2)(a)(i) and 2(b) shall apply *mutatis mutandis*.

(4) [Transliteration of the Mark] For the purposes of Article 3(1)(a)(xiii), where the mark consists of or contains matter in script other than the script used by the Office or numbers expressed in numerals other than numerals used by the Office, a transliteration of such matter in the script and numerals used by the Office may be required.

(5) [Translation of the Mark] For the purposes of Article 3(1)(a)(xiv), where the mark consists of or contains a word or words in a language other than the language, or one of the languages, admitted by the Office, a translation of that word or those words into that language or one of those languages may be required.

(6) [Time Limit for Furnishing Evidence of Actual Use of the Mark] The time limit referred to in Article 3(6) shall not be shorter than six months counted from the date of allowance of the application by the Office of the Contracting Party where that application was filed. The applicant or holder shall have the right to an extension of that time limit, subject to the conditions provided for by the law of that Contracting Party, by periods of at least six months each, up to a total extension of at least two years and a half.

(2) (Število reprodukcij) (a) Kadar prijava ne vsebuje izjave, da prijavitelj želi zahtevati barvo kot razlikovalno lastnost znamke, pogodbenica ne more zahtevati več kot:

(i) pet črno-belih reprodukcij znamke, kadar prijava po zakonodaji pogodbenice ne sme ali ne vsebuje izjave, da prijavitelj želi, da bi bila znamka registrirana in objavljena v standardnih znakih, ki jih uporablja urad pogodbenice;

(ii) eno črno-belo reprodukcijo, kadar prijava vsebuje izjavo, da prijavitelj želi, da bi bila znamka registrirana in objavljena v standardnih znakih, ki jih uporablja urad pogodbenice.

(b) Kadar prijava vsebuje izjavo, da prijavitelj želi zahtevati barvo kot razlikovalno lastnost znamke, pogodbenica ne more zahtevati več kot pet črno-belih in pet barvnih reprodukcij znamke.

(3) (Reprodukcija tridimenzionalne znamke) (a) Kadar prijava v skladu s točko (xi) pododstavka (a) prvega odstavka 3. člena vsebuje izjavo, da je znamka tridimenzionalna, sestavlja reprodukcijo znamke dvodimenzionalna grafična ali fotografska reprodukcija.

(b) Reprodukcijo, ki je predložena po pododstavku (a), lahko po izbiri prijavitelja sestavlja en sam videz ali več različnih videzov znamke.

(c) Kadar urad meni, da reprodukcija znamke, ki jo je prijavitelj predložil po pododstavku (a), ne prikazuje zadovoljivo podrobnosti tridimenzionalne znamke, lahko pozove prijavitelja, da v razumnem roku, določenem v pozivu, predloži do šest različnih videzov znamke ali njen pisni opis.

(d) Kadar urad meni, da različni videzi ali opis znamke iz pododstavka (c) še vedno ne prikazujejo zadovoljivo podrobnosti tridimenzionalne znamke, lahko pozove prijavitelja, da v razumnem roku, določenem v pozivu, predloži primerek znamke.

(e) Točka (i) pododstavka (a) in pododstavek (b) drugega odstavka se smiselno uporabljata.

(4) (Transkripcija znamke) Kadar znamka sestoji iz črk ali števil, ki niso tiste, ki jih uporablja urad, ali vsebuje take črke in številke, se lahko za namene točke (xiii) pododstavka (a) prvega odstavka 3. člena zahteva transkripcija teh črk in števil v črke in številke, ki jih uporablja urad.

(5) (Prevod znamke) Kadar znamka sestoji iz besede ali besed v jeziku, ki ni jezik ali eden od jezikov, ki jih dopušča urad, ali vsebuje tako besedo ali take besede, se lahko za namene točke (xiv) pododstavka (a) prvega odstavka 3. člena zahteva prevod te besede ali teh besed v ta jezik ali enega od teh jezikov.

(6) (Rok za predložitev dokaza o dejanski uporabi znamke) Rok iz šestega odstavka 3. člena ne sme biti krajši od šestih mesecev, šteto od datuma, ko je urad pogodbenice, pri katerem je bila vložena prijava, to sprejel. Prijavitelj ali imetnik je ob upoštevanju pogojev, ki jih predpisuje zakonodaja pogodbenice, upravičen do podaljšanja tega roka za posamezna najmanj šestmesečna obdobja, s tem da celotno podaljšanje traja najmanj dve leti in pol.

Rule 4**Details Concerning Representation**

The time limit referred to in Article 4(3)(d) shall be counted from the date of receipt of the communication referred to in that Article by the Office of the Contracting Party concerned and shall not be less than one month where the address of the person on whose behalf the communication is made is on the territory of that Contracting Party and not less than two months where such an address is outside the territory of that Contracting Party.

Rule 5**Details Concerning the Filing Date**

(1) [*Procedure in Case of Non-Compliance with Requirements*] If the application does not, at the time of its receipt by the Office, comply with any of the applicable requirements of Article 5(1)(a) or 5(2)(a), the Office shall promptly invite the applicant to comply with such requirements within a time limit indicated in the invitation, which time limit shall be at least one month from the date of the invitation where the applicant's address is on the territory of the Contracting Party concerned and at least two months where the applicant's address is outside the territory of the Contracting Party concerned. Compliance with the invitation may be subject to the payment of a special fee. Even if the Office fails to send the said invitation, the said requirements remain unaffected.

(2) [*Filing Date in Case of Correction*] If, within the time limit indicated in the invitation, the applicant complies with the invitation referred to in paragraph (1) and pays any required special fee, the filing date shall be the date on which all the required indications and elements referred to in Article 5(1)(a) have been received by the Office and, where applicable, the required fee referred to in Article 5(2)(a) has been paid to the Office. Otherwise, the application shall be treated as if it had not been filed.

(3) [*Date of Receipt*] Each Contracting Party shall be free to determine the circumstances in which the receipt of a document or the payment of a fee shall be deemed to constitute receipt by or payment to the Office in cases in which the document was actually received by or payment was actually made to

(i) a branch or sub-office of the Office,

(ii) a national Office on behalf of the Office of the Contracting Party, where the Contracting Party is an inter-governmental organization referred to in Article 19(1)(ii),

(iii) an official postal service,

(iv) a delivery service, other than an official postal service, specified by the Contracting Party.

(4) [*Use of Telefacsimile*] Where a Contracting Party allows the filing of an application by telefacsimile and the application is filed by telefacsimile, the date of receipt of the telefacsimile by the Office of that Contracting Party shall constitute the date of receipt of the application, provided that the said Contracting Party may require that the original of such application reach the Office within a time limit which shall be at least one month from the day on which the telefacsimile was received by the said Office.

Rule 6**Details Concerning the Signature**

(1) [*Legal Entities*] Where a communication is signed on behalf of a legal entity, any Contracting Party may require that the signature, or the seal, of the natural person who

4. pravilo**Podrobnosti glede zastopništva**

Rok iz pododstavka (d) tretjega odstavka 4. člena se šteje od datuma, ko urad zadevne pogodbenice prejme sporočilo iz omenjenega člena, in ni krajši od enega meseca, kadar je naslov osebe, v katere imenu je sporočilo sestavljeno, na ozemlju te pogodbenice, in ne krajši od dveh mesecev, kadar je tak naslov zunaj njenega ozemlja.

5. pravilo**Podrobnosti glede datuma vložitve**

(1) [*Postopek v primeru neizpolnitve pogojev*] Če prijava, ko jo urad prejme, ne izpolnjuje katerega od veljavnih pogojev iz pododstavka (a) prvega odstavka ali pododstavka (a) drugega odstavka 5. člena, urad nemudoma pozove prijavitelja, da izpolni te pogoje v roku, navedenem v pozivu, ki ne sme biti krajši od enega meseca od datuma poziva, kadar je prijaviteljev naslov na ozemlju zadevne pogodbenice, in ne krajši od dveh mesecev, kadar je prijaviteljev naslov zunaj njenega ozemlja. Upoštevanje poziva je lahko pogojeno s plačilom posebne pristojbine. Tudi če urad ne pošlje omenjenega poziva, to ne vpliva na zadevne pogoje.

(2) [*Datum vložitve v primeru popravka*] Če v roku, navedenem v pozivu, prijavitelj upošteva poziv iz prvega odstavka in plača predpisano posebno pristojbino, je datum vložitve datum, ko urad prejme vse zahtevane navedbe in elemente iz pododstavka (a) prvega odstavka 5. člena, in kadar je to potrebno, ko mu je bila plačana zahtevana pristojbina iz pododstavka (a) drugega odstavka 5. člena. V nasprotnem primeru se prijava obravnava, kot da ni bila vložena.

(3) [*Datum prejema*] Vsaka pogodbenica svobodno določa okoliščine, v katerih se šteje, da je urad prejel dokument ali mu je bila zanj plačana pristojbina, v primerih, v katerih so dokument ali plačilo dejansko prejeli:

(i) podružnica ali enota urada,

(ii) državni urad v imenu urada pogodbenice, kadar je pogodbenica medvladna organizacija iz točke (ii) prvega odstavka 19. člena,

(iii) uradna poštna služba,

(iv) dostavna služba, ki ni uradna poštna služba, ki jo je navedla pogodbenica.

(4) [*Uporaba telefaksa*] Kadar pogodbenica dovoli vložitev prijave po telefaksu in je prijava tako vložena, je datum, ko urad te pogodbenice prejme telefaks, datum prejema prijave, s tem da omenjena pogodbenica lahko zahteva, da se izvornik take prijave dostavi uradu v roku, ki ni krajši od enega meseca od dneva, ko je omenjeni urad prejel telefaks.

6. pravilo**Podrobnosti glede podpisa**

(1) [*Pravne osebe*] Kadar je sporočilo podpisano v imenu pravne osebe, lahko vsaka pogodbenica zahteva, da je poleg podpisa ali pečata fizične osebe, ki je podpisala ali

signs or whose seal is used be accompanied by an indication in letters of the family or principal name and the given or secondary name or names of that person or, at the option of that person, of the name or names customarily used by the said person.

(2) [*Communication by Telefacsimile*] The period referred to in Article 8(2)(b) shall not be less than one month from the date of the receipt of a transmittal by telefacsimile.

(3) [*Date*] Any Contracting Party may require that a signature or seal be accompanied by an indication of the date on which the signing or sealing was effected. Where that indication is required but is not supplied, the date on which the signing or sealing is deemed to have been effected shall be the date on which the communication bearing the signature or seal was received by the Office or, if the Contracting Party so allows, a date earlier than the latter date.

Rule 7

Manner of Identification of an Application Without Its Application Number

(1) [*Manner of Identification*] Where it is required that an application be identified by its application number but where such a number has not yet been issued or is not known to the applicant or his representative, that application shall be considered identified if the following is supplied:

(i) the provisional application number, if any, given by the Office, or

(ii) a copy of the application, or

(iii) a reproduction of the mark, accompanied by an indication of the date on which, to the best knowledge of the applicant or the representative, the application was received by the Office and an identification number given to the application by the applicant or the representative.

(2) [*Prohibition of Other Requirements*] No Contracting Party may demand that requirements other than those referred to in paragraph (1) be complied with in order for an application to be identified where its application number has not yet been issued or is not known to the applicant or his representative.

Rule 8

Details Concerning Duration and Renewal

For the purposes of Article 13(1)(c), the period during which the request for renewal may be presented and the renewal fee may be paid shall start at least six months before the date on which the renewal is due and shall end at the earliest six months after that date. If the request for renewal is presented and/or the renewal fees are paid after the date on which the renewal is due, any Contracting Party may subject the renewal to the payment of a surcharge.

je bil uporabljen njen pečat, črkovna navedba priimka ali glavnega imena in prvega ali dodatnega imena oziroma imen te osebe ali po izbiri te osebe imena ali imen, ki jih običajno uporablja.

(2) (*Sporočila po telefaksu*) Rok iz pododstavka (b) drugega odstavka 8. člena ne sme biti krajši od enega meseca od datuma prejema prenosa po telefaksu.

(3) (*Datum*) Vsaka pogodbenica lahko zahteva, da je poleg podpisa ali pečata navedba datuma podpisa ali pečata. Kadar se ta navedba zahteva, vendar je ni, se kot datum podpisa ali pečata šteje datum, ko urad prejme sporočilo, na katerem je podpis ali pečat, ali zgodnejši datum od omenjenega, če to dovoli pogodbenica.

7. pravilo

Način identifikacije prijave, ki nima številke

(1) (*Način identifikacije*) Kadar se zahteva, da se prijava identificira s številko, vendar ji ta še ni bila dodeljena ali je prijavitelj oziroma njegov zastopnik ne pozna, se šteje prijava za identificirano, če je predložena:

(i) začasna številka prijave, ki jo je dal urad, če obstaja, ali

(ii) kopija prijave ali

(iii) reprodukcija znamke z navedbo datuma, ko je po vedenju prijavitelja oziroma zastopnika urad prejel prijavo, in identifikacijske številke, ki jo je prijavi dal prijavitelj oziroma zastopnik.

(2) (*Prepoved drugih pogojev*) Nobena pogodbenica ne more zahtevati, da se izpolnijo pogoji, ki niso tisti iz prvega odstavka, zato da bi se identificirala prijava, ki ji še ni bila dodeljena številka ali te prijavitelj oziroma njegov zastopnik ne pozna.

8. pravilo

Podrobnosti glede trajanja in podaljšanja veljavnosti

Obdobje, v katerem se lahko predloži zahteva za podaljšanje veljavnosti in plača pristojbina za podaljšanje veljavnosti, se za namene pododstavka (c) prvega odstavka 13. člena začne vsaj šest mesecev pred datumom, ko mora biti podaljšanje opravljeno, in konča vsaj šest mesecev po tem datumu. Če je zahteva za podaljšanje veljavnosti predložena ali pristojbina za podaljšanje veljavnosti plačana po datumu, ko mora biti podaljšanje opravljeno, lahko vsaka pogodbenica kot pogoj za podaljšanje postavi plačilo dodatne pristojbine.

MODEL INTERNATIONAL FORM No. 1

APPLICATION FOR THE REGISTRATION OF A MARK

submitted to the Office of

FOR OFFICE USE ONLY

Reference number of applicant:¹

.....

Reference number of representative:¹

1. Request for Registration

Registration of the mark reproduced in the present application is hereby requested.

¹ The reference number allotted by the applicant and/or the reference number allotted by the representative to the present application may be indicated in this space.

VZOREC MEDNARODNEGA OBRAZCA ŠT. 1

PRIJAVA ZA REGISTRACIJO ZNAMKE

predložena Uradu.....

Izpolni urad

Referenčna številka prijavitelja:¹.....
Referenčna številka zastopnika:¹.....

1 Zahteva za registracijo

Zahteva se registracija znamke, katere reprodukcija je v tej prijavi.

¹ Na tem mestu se lahko navede referenčna številka, ki jo je tej prijavi dal prijavitelj in/ali zastopnik.

2. Applicant(s)

2.1 If the applicant is a natural person, the person's

(a) family or principal name:²

(b) given or secondary name(s):²

2.2 If the applicant is a legal entity, the entity's full official designation:

2.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

2.4 State of nationality:

State of domicile:

State of establishment:³

2.5 Where the applicant is a legal entity, indicate

- the legal nature of the legal entity:
- the State, and, where applicable, the territorial unit within that State, under the law of which the legal entity is organized:

2.6 Check this box if there is more than one applicant; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 2.1 or 2.2, 2.3, 2.4 and 2.5.⁴

² The names to be indicated under (a) and (b) are either the full names of the applicant or the names customarily used by the applicant.

³ "Establishment" means a real and effective industrial or commercial establishment.

⁴ Where several applicants are listed on the additional sheet with different addresses and there is no representative, the address for correspondence must be underlined on the additional sheet.

Obrazec št. 1, 2. stran

2 Prijavitelj(i)

2.1 Če je prijavitelj fizična oseba,

(a) priimek ali glavno ime:²

(b) prvo ali dodatno(a) ime(na):²

2.2 Če je prijavitelj pravna oseba, popolno uradno ime:

2.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

2.4 Država državljanstva:

Država stalnega prebivališča:

Država podjetja:³

2.5 Če je prijavitelj pravna oseba, navedite

- pravno naravo pravne osebe:

- državo, in kadar je to primerno, ozemeljsko enoto znotraj te države, po katere pravu je pravna oseba organizirana:

2.6 Označite ta kvadrat, če je prijaviteljev več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 2.1 ali 2.2, 2.3, 2.4 in 2.5.⁴

² Imena, ki jih je treba navesti pod (a) in (b), so bodisi prijaviteljeva popolna imena ali imena, ki jih običajno uporablja.

³ "Podjetje" pomeni dejansko in resno industrijsko ali trgovsko podjetje.

⁴ Kadar imajo prijavitelji, navedeni na posebnem listu, različne naslove in ni zastopnika, mora biti naslov za dopisovanje na dodatnem listu podčrtan.

3. Representative

3.1 The applicant is not represented.

3.2 The applicant is represented.

3.2.1 Identification of the representative

3.2.1.1 Name:

3.2.1.2 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

3.2.2 The power of attorney is already in the possession of the Office.
Serial number:⁵

3.2.3 The power of attorney is attached.

3.2.4 The power of attorney will be furnished at a later date.

3.2.5 No power of attorney is needed.

4. Address for Service⁶

⁵ To be left blank if the power of attorney has not, or has not yet, been allotted a serial number or if the serial number is not yet known to the applicant or the representative.

⁶ An address for service must be indicated in the space available under the title of item 4 where the applicant does not have or, if there is more than one applicant, where none of the applicants has a domicile or a real and effective industrial or commercial establishment on the territory of the Contracting Party whose Office is the Office named on the first page of the present application, except where a representative is indicated in item 3.

Obrazec št. 1, 3. stran

3 Zastopnik3.1 Prijavitelj nima zastopnika.3.2 Prijavitelj ima zastopnika.

3.2.1 Identifikacija zastopnika

3.2.1.1 Ime:

3.2.1.2 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)Številka(e) telefaksa:
(s karakteristično številko)3.2.2 Pooblastilo je že pri uradu. Serijska številka:⁵3.2.3 Pooblastilo je priloženo.3.2.4 Pooblastilo bo predloženo naknadno.3.2.5 Pooblastilo ni potrebno.

4 Naslov za vročitev⁶

⁵ Pustiti prazno, če pooblastilu še ni bila dodeljena serijska številka ali če prijavitelju oziroma zastopniku še ni znana.

⁶ Naslov za vročitev je treba navesti na prostoru, ki je na voljo pod naslovom 4. točke, kadar prijavitelj ali nobeden od prijaviteljev, če jih je več, nima stalnega prebivališča ali dejanskega in resnega industrijskega ali trgovskega podjetja na ozemlju pogodbenice, katere urad je urad, imenovan na prvi strani te prijave, razen kadar je zastopnik naveden v 3. točki.

5. Claiming of Priority

The applicant hereby claims the following priority:

5.1 Country (Office) of first filing:⁷

5.2 Date of first filing:

5.3 Application number of first filing (if available):

5.4 The certified copy of the application the priority of which is claimed⁸

5.4.1 is attached.

5.4.2 will be furnished within three months from the filing date of the present application.

5.5 The translation of the certified copy

5.5.1 is attached.

5.5.2 will be furnished within three months from the filing date of the present application.

5.6 Check this box if there is more than one filing whose priority is claimed; in that case, list them in an additional sheet and indicate, in respect of each of them, the information referred to in items 5.1, 5.2, 5.3, 5.4 and 5.5 and the goods and/or services mentioned in each of them.

⁷ Where the application the priority of which is claimed was filed with an Office other than a national Office (e.g., OAPI, the Benelux Trademark Office and the Office for Harmonization in the Internal Market (trade marks and designs), the name of that Office has to be indicated instead of the name of a country. Otherwise, not the name of the Office but the name of the country must be indicated.

⁸ “Certified copy” means a copy of the application the priority of which is claimed, certified as being in conformity with the original by the Office which received such application.

Obrazec št. 1, 4. stran

5 Zahtevanje prednosti

Prijavitelj zahteva naslednjo prednost

5.1 Država (urad) prve vložitve prijave: ⁷

5.2 Datum prve vložitve prijave:

5.3 Številka prve vložitve prijave (če je na voljo):

5.4 Overjena kopija prijave, katere prednost se zahteva ⁸

5.4.1 je priložena.

5.4.2 bo predložena v treh mesecih od datuma vložitve te prijave.

5.5 Prevod overjene kopije

5.5.1 je priložen.

5.5.2 bo predložen v treh mesecih od datuma vložitve te prijave.

5.6 Označite ta kvadrat, če gre za več prijav, katerih prednost se zahteva; v tem primeru jih navedite na dodatnem listu in za vsako od njih navedite podatke iz točk 5.1, 5.2, 5.3, 5.4 in 5.5 ter blago in/ali storitve, omenjene v vsaki od njih.

⁷ Kadar je prijava, katere prednost se zahteva, vložena pri uradu, ki ni državni urad (npr. OAPI, Urad za znamke Beneluksa in Urad za harmonizacijo notranjega trga (znamke in modeli)), je treba namesto imena države navesti ime tega urada. Sicer je treba navesti ime države in ne imena urada.

⁸ "Overjena kopija" pomeni kopijo prijave, katere prednost se zahteva, ki jo je urad, ki je tako prijavo prejel, overil kot skladno z izvirnikom.

6. Registration(s) in the Country (Office) of Origin⁹


The certificate(s) of registration in the country (Office) of origin is (are) attached.

7. Protection Resulting From Display in an Exhibition

Check this box if the applicant wishes to take advantage of any protection resulting from the display of goods and/or services in an exhibition. In that case, give the details on an additional sheet.

8. Reproduction of the Mark

(8 cm x 8 cm)



⁹ To be filled in where the applicant wishes to furnish evidence under Article 6quinquies A(1) of the Paris Convention when filing the application.

Obrazec št. 1, 5. stran

6 Registracija(e) v državi (uradu) izvora⁹

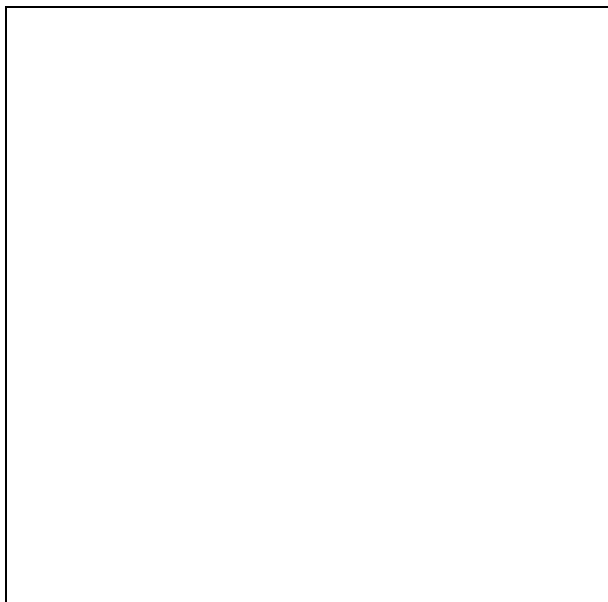
Listina(e) o registraciji v državi (uradu) izvora je(so) priložena(e).

7 Varstvo, ki izhaja iz predstavitve blaga ali storitev na razstavi

Označite ta kvadrat, če prijavitelj želi izkoristiti varstvo, ki izhaja iz predstavitve blaga in/ali storitev na razstavi. V tem primeru navedite podrobnosti na dodatnem listu.

8 Reprodukcijska znamka

(8 cm x 8 cm)



⁹ Izpolniti, kadar želi prijavitelj ob vložitvi prijave predložiti dokaz po 6.^{quinquies} členu pod A(1) Pariške konvencije.

8.1 The applicant wishes that the Office register and publish the mark in the standard characters used by it.¹⁰

8.2 Color is claimed as a distinctive feature of the mark.

8.2.1 Name(s) of the color(s) claimed:

8.2.2 Principal parts of the mark which are in that (those) color(s):

8.3 The mark is three-dimensional.

.....¹¹ different views of the mark are attached.

8.4¹² reproduction(s) of the mark in black and white is (are) attached.

8.5¹² reproduction(s) of the mark in color is (are) attached.

9. Transliteration of the Mark

This mark or part of the mark is transliterated as follows:

10. Translation of the Mark

The mark or part of the mark is translated as follows:

¹⁰ Such a wish cannot be expressed in respect of marks which contain or consist of figurative elements. If, in the opinion of the Office, they do contain such elements, the Office will ignore the wish of the applicant and will register and publish the mark as appearing in the square.

¹¹ If several different views of the mark are not included in the square provided in item 8 but are attached, check this box and indicate the number of those different views.

¹² Indicate the number of reproductions in black and white and/or color.

Obrazec št. 1, 6. stran

8.1 Prijavitelj želi, da urad registrira in objavi znamko v standardnih znakih, ki jih uporablja.¹⁰

8.2 Barva se zahteva kot razlikovalna lastnost znamke.

8.2.1 Ime(na) zahtevane(ih) znamk(e):

8.2.2 Glavni deli znamke, ki so v tej(h) barvi(ah):

8.3 Znamka je tridimenzionalna.

...¹¹ priloženi so različni videzi znamke.

8.4 ...¹² priložena(e) je(so) črno-bela(e) reprodukcija(e) znamke.

8.5 ...¹² priložena(e) je(so) barvna(e) reprodukcija(e) znamke.

9 Transkripcija znamke

Transkripcija znamke ali dela znamke je naslednja:

10 Prevod znamke

Prevod znamke ali dela znamke je naslednji:

¹⁰ Take želje ni mogoče izraziti v zvezi z znamkami, ki vsebujejo figurativne elemente ali iz njih sestojijo. Če po mnenju urada vsebujejo take elemente, ta ne bo upošteval želje prijavitelja in bo registriral ter objavil znamko, kot je prikazana v kvadratu.

¹¹ Če različni videzi znamke niso prikazani v kvadratu, predvidenem v 8. točki, ampak so priloženi, označite ta kvadrat in navedite število teh različnih videzov.

¹² Navedite število črno-belih in/ali barvnih reprodukcij.

11. Goods and/or Services

Names of the goods and/or services:¹³

- Check this box if the space above is not sufficient; in that case, give the names of the goods and/or services on an additional sheet.
-

12. Declaration Concerning Intention to Use or Actual Use; Evidence of Actual Use

12.1 Check this box if a declaration is attached.

12.2 Check this box if evidence of actual use is attached.

13. Requirements Relating to Languages

- Check this box if an attachment is enclosed in order to comply with any language requirement applicable with respect to the Office.¹⁴
-

¹³ Where the goods and/or services belong to more than one class of the Nice Classification, they must be grouped according to the classes of that Classification. The number of each class must be indicated and the goods and/or services belonging to the same class must be grouped following the indication of the number of that class. Each group of goods or services must be presented in the order of the classes of the Nice Classification. Where all the goods or services belong to one class of the Nice Classification, the number of that class must be indicated.

¹⁴ This box is not to be used if the Office does not admit more than one language.

Obrazec št. 1, 7. stran

11 Blago in/ali storitveImena blaga in/ali storitev:¹³

Označite ta kvadrat, če zgornji prostor ne zadošča; v tem primeru navedite imena blaga in/ali storitev na dodatnem listu.

12 Izjava o namenu za uporabo ali dejansko uporabo; dokaz o dejanski uporabi12.1 Označite ta kvadrat, če je dodana izjava.12.2 Označite ta kvadrat, če je dodan dokaz o dejanski uporabi.

13 Pogoji glede jezika

Označite ta kvadrat, če je priložena priloga, da bi bil izpolnjen jezikovni pogoj, ki se uporablja v zvezi z uradom.¹⁴

¹³ Kadar blago in/ali storitve pripadajo več razredom Nicejske klasifikacije, morajo biti razporejeni v skladu z razredi te klasifikacije. Navedena mora biti številka vsakega razreda, blago in/ali storitve, ki pripadajo istemu razredu, pa morajo biti razporejeni v skupine v skladu z navedbo številke tega razreda. Vsaka skupina blaga ali storitev mora biti predstavljena po vrstnem redu razredov Nicejske klasifikacije. Kadar vse blago ali storitve pripadajo enemu razredu Nicejske klasifikacije, je treba navesti številko tega razreda.

¹⁴ Ta kvadrat se ne uporablja, če urad dopušča le en jezik.

14. Signature or Seal

14.1 Name of the natural person who signs or whose seal is used:

14.2 Check the appropriate box according to whether the signature is given, or the seal is used, by or on behalf of the

14.2.1 applicant.

14.2.2 representative.

14.3 Date of signature or of sealing:

14.4 Signature or seal:

15. Fee(s)

15.1 Currency and amount(s) of the fee(s) paid in connection with the present application:

15.2 Method of payment:

16. Additional Sheets and Attachments

Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

Obrazec št. 1, 8. stran

14 Podpis ali pečat

14.1 Ime fizične osebe, ki podpisuje ali je uporabljen njen pečat:

14.2 Označite ustrezní kvadrat glede na to, ali je dan podpis ali je uporabljen pečat s strani ali v imenu

14.2.1 prijavitelja,

14.2.2 zastopnika.

14.3 Datum podpisa ali pečata:

14.4 Podpis ali pečat:

15 Pristojbina(e)

15.1 Valuta in znesek(ki) pristojbin(e) v zvezi s to prijavo:

15.2 Način plačila:

16 Dodatni listi in priloge

Označite ta kvadrat, če so priloženi dodatni listi in/ali priloge, in navedite skupno število takih listov in/ali prilog:

MODEL INTERNATIONAL FORM No. 2

POWER OF ATTORNEY

for procedure before the Office of

FOR OFFICE USE ONLY

Reference number of person making the appointment: ¹

1. Appointment

The undersigned hereby appoints as his representative the person identified in item 3, below.

2. Name of the Person Making the Appointment²

¹ The reference number allotted by the person making the appointment to this power of attorney may be indicated in this space.

² If the person making the appointment is the applicant (or one of the applicants), the name to be indicated is that of that applicant, as indicated in the application(s) to which this power relates. If the said person is the holder (or one of the holders), the name to be indicated is that of that holder, as recorded in the register of marks. If the said person is an interested person other than an applicant or holder, the name to be indicated is the full name of that person or the name customarily used by that person.

VZOREC MEDNARODNEGA OBRAZCA ŠT. 2

POOBLASTILO
za postopke pri Uradu.....

Izpolni urad

Referenčna številka osebe,
ki imenuje:¹.....

1 Imenovanje

Podpisani imenuje kot svojega zastopnika osebo, določeno v 3. točki spodaj.

2 Ime osebe, ki imenuje²

¹ Na tem mestu se lahko navede številka, ki jo je temu pooblastilu dala oseba, ki imenuje.

² Če je oseba, ki imenuje, prijavitelj (ali eden od prijaviteljev), je treba navesti ime tega prijavitelja, kot je navedeno v prijavi(ah), na katero(e) se pooblastilo nanaša. Če je omenjena oseba imetnik (ali eden od imetnikov), je treba navesti ime tega imetnika, kot je vpisano v registru znamk. Če je omenjena oseba zainteresirana oseba, ki ni prijavitelj ali imetnik, je treba navesti popolno ime te osebe ali ime, ki ga običajno uporablja.

3. Representative

3.1 Name:

3.2 Address (including postal code and country):

Telephone number(s):
(with the area code)Telefacsimile number(s):
(with the area code)

4. Application(s) and/or Registration(s) Concerned

This power of attorney concerns:

4.1 all existing and future applications and/or registrations of the person making the appointment, subject to any exception indicated on an additional sheet.4.2 the following application(s) and/or registration(s):4.2.1 the application(s) concerning the following mark(s):³4.2.2 the application(s) having the following application number(s)⁴ as well as any registration(s) resulting therefrom:

4.2.3 the registration(s) having the following registration number(s):

4.2.4 If the spaces under 4.2.1, 4.2.2 or 4.2.3 are not sufficient, check this box and provide the information on an additional sheet.

³ Complete this item if the power of attorney is filed with the Office together with the application(s).

⁴ Where the application number of an application has not yet been issued or is not known to the applicant or his representative, that application may be identified by furnishing either: (i) the provisional application number, if any, given by the Office, or (ii) a copy of the application, or (iii) a reproduction of the mark, accompanied by an indication of the date on which, to the best knowledge of the applicant or his representative, the application was received by the Office and an identification number given to the application by the applicant or his representative.

Obrazec št. 2, 2. stran

3 Zastopnik

3.1 Ime:

3.2 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

4 Zadevna(e) prijava(e) in/ali registracija(e)

To pooblastilo zadeva

4.1 vse obstoječe in prihodnje prijave in/ali registracije osebe, ki imenuje, ob upoštevanju vseh izjem, navedenih na dodatnem listu.

4.2 naslednjo(e) prijavo(e) in/ali registracijo(e):

4.2.1 prijavo(e), ki zadeva(jo) naslednjo(e) znamko(e):³

4.2.2 prijavo(e), ki ima(jo) naslednjo(e) številko(e)⁴, kot tudi vsako(vse) registracijo(e), ki iz nje izhaja(jo):

4.2.3 registracijo(e), ki ima(jo) naslednjo(e) številko(e):

4.2.4 Če prostor pod 4.2.1, 4.2.2 ali 4.2.3 ne zadošča, označite ta kvadrat in navedite podatke na dodatnem listu.

³ Izpolnite to rubriko, če je pooblastilo vloženo pri uradu skupaj s prijavo(ami).

⁴ Kadar številka prijave še ni izdana ali prijavitelju oziroma njegovemu zastopniku ni znana, se lahko prijava identificira s predložitvijo: (i) začasne številke prijave, ki jo je dal urad, če ta številka obstaja, ali (ii) kopije prijave ali (iii) reprodukcije znamke, ki jo spremlja navedba datuma, ko je po vedenju prijavitelja ali zastopnika urad prejel prijavo, in identifikacijske številke, ki jo je prijavi dal prijavitelj ali njegov zastopnik.

5. Scope of the Power of Attorney

- 5.1 Check this box if the representative has the right to act as representative for all purposes, including, where the person making the appointment is an applicant or a holder, the following purposes:
- 5.1.1 withdrawal of the application(s).
- 5.1.2 surrender of the registration(s).
- 5.2 Check this box if the representative does not have the right to act as representative for all purposes and indicate here or on an additional sheet the purposes excluded from the powers of the representative:
-

6. Signature or Seal

- 6.1 Name of the natural person who signs or whose seal is used:
- 6.2 Date of signature or of sealing:
- 6.3 Signature or seal:
-

7. Additional Sheets and Attachments

- Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:
-

Obrazec št. 2, 3. stran

5 Obseg pooblastila

5.1 Označite ta kvadrat, če ima zastopnik pravico delovati kot zastopnik za vse namene, kar vključuje, kadar je oseba, ki imenuje, prijavitelj ali imetnik, tudi naslednje:

5.1.1 umik prijav(e),

5.1.2 odstop od registracij(e).

5.2 Označite ta kvadrat, če zastopnik nima pravice delovati kot zastopnik za vse namene, in navedite tukaj ali na dodatnem listu namene, ki so izločeni iz pooblastil zastopnika:

6 Podpis ali pečat

6.1 Ime fizične osebe, ki podpisuje ali katere pečat je uporabljen:

6.2 Datum podpisa ali pečata:

6.3 Podpis ali pečat:

7 Dodatni listi in priloge

Označite ta kvadrat, če so priloženi dodatni listi in/ali priloge, in navedite skupno število takih listov ali prilog:

MODEL INTERNATIONAL FORM No. 3**REQUEST FOR THE RECORDAL OF CHANGE(S)
IN NAME(S) OR ADDRESS(ES)**

in respect of registration(s) and/or
application(s) for registration of mark(s)

submitted to the Office of

FOR OFFICE USE ONLY

Reference number of holder
and/or applicant:¹

Reference number of representative:¹

1. Request for Recordal

The recordal of the change(s) indicated in the present request is hereby requested.

2. Registration(s) and/or Application(s) Concerned

The present request concerns the following registration(s) and/or application(s):

2.1 Registration number(s):

2.2 Application number(s):²

2.3 If the spaces under 2.1 or 2.2 are not sufficient, check this box and provide the information on an additional sheet.

¹ The reference number allotted by the holder and/or applicant and/or the reference number allotted by the representative to the present request may be indicated in this space.

² Where the application number of an application has not yet been issued or is not known to the applicant or his representative, that application may be identified by furnishing either: (i) the provisional application number, if any, given by the Office, or (ii) a copy of the application, or (iii) a reproduction of the mark, accompanied by an indication of the date on which, to the best knowledge of the applicant or his representative, the application was received by the Office and an identification number given to the application by the applicant or his representative.

VZOREC MEDNARODNEGA OBRAZCA ŠT. 3

ZAHTEVA ZA VPIS SPREMEMB(E) IMEN(A) ALI NASLOVA(OV)

v zvezi z registracijo(ami) in/ali prijavo(ami) za registracijo znamk(e),

predložena Uradu.....

Izpolni urad

Referenčna številka imetnika
in/ali prijavitelja:¹

Referenčna številka zastopnika:¹

1 Zahteva za vpis

Zahteva se vpis sprememb(e), navedene(ih) v tej zahtevi.

2 Zadevn(a)e registracija(e) in/ali prijava(e)

Ta zahteva zadeva naslednj(o)e registracijo(e) in/ali prijavo(e):

2.1 Številka(e) registracij(e):

2.2 Številka(e) prijav(e):²

2.3 Če prostor pod 2.1 ali 2.2 ne zadošča, označite ta kvadrat in navedite podatke na dodatnem listu.

¹ Na tem mestu se lahko navede številka, ki jo je tej zahtevi dal imetnik in/ali prijavitelj in/ali zastopnik.

² Kadar številka prijave še ni izdana ali prijavitelju ali njegovemu zastopniku ni znana, se lahko prijava identificira s predložitvijo: (i) začasne številke prijave, ki jo je dal urad, če ta številka obstaja, ali (ii) kopije prijave ali (iii) reprodukcije znamke, ki jo spremlja navedba datuma, ko je po vedenju prijavitelja ali zastopnika urad prejel prijavo, in identifikacijske številke, ki jo je prijavi dal prijavitelj ali njegov zastopnik.

3. Holder(s) and/or Applicant(s)

3.1 If the holder and/or applicant is a natural person, the person's

(a) family or principal name:³

(b) given or secondary name(s):³

3.2 If the holder and/or applicant is a legal entity, the entity's full official designation:

3.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

3.4 Check this box if there is more than one holder and/or applicant; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 3.1 or 3.2 and 3.3.

4. Representative

4.1 Name:

4.2 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

4.3 Serial number of the power of attorney:⁴

5. Address for Service

³ The names to be indicated under (a) and (b) are those which were indicated in the application(s), or are recorded in respect of the registration(s), to which the present request relates.

⁴ To be left blank if the power of attorney has not, or has not yet, been allotted a serial number or if the serial number is not yet known to the holder and/or applicant or the representative.

Obrazec št. 3, 2. stran

3 Imetnik(i) in/ali prijavitelj(i)

3.1 Če je imetnik in/ali prijavitelj fizična oseba,

(a) priimek ali glavno ime:³

(b) prvo ali dodatno(a) ime(na):³

3.2 Če je imetnik in/ali prijavitelj pravna oseba, popolno uradno ime:

3.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

3.4 Označite ta kvadrat, če je imetnikov in/ali prijaviteljev več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 3.1 ali 3.2 in 3.3.

4 Zastopnik

4.1 Ime:

4.2 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

4.3 Serijska številka pooblastila:⁴

5 Naslov za vročitev

³ Imena, ki jih je treba navesti pod (a) in (b), so tista, ki so bila navedena v prijavi(ah) ali vpisana v zvezi z registracijo(ami), na katero(e) se nanaša ta zahteva.

⁴ Pustiti prazno, če pooblastilu ni ali še ni bila dana serijska številka ali če ta imetniku in/ali prijavitelju ali zastopniku še ni znana.

6. Indication of the Change(s)

6.1 Data to be changed:

Data as changed:⁵

6.2 Check this box if the above space is insufficient; in that case, indicate on an additional sheet the data to be changed with the data as changed.

7. Signature or Seal

7.1 Name of the natural person who signs or whose seal is used:

7.2 Check the appropriate box according to whether the signature is given, or the seal is used, by or on behalf of the

7.2.1 holder and/or applicant.

7.2.2 representative.

7.3 Date of signature or of sealing:

7.4. Signature or seal:

⁵ Indicate the name(s) and/or address(es) as changed.

Obrazec št. 3, 3. stran

6 Navedba sprememb(e)

6.1 Podatki, ki jih je treba spremeniti:

Spremenjeni podatki:⁵

6.2 Označite ta kvadrat, če zgornji prostor ne zadošča; v tem primeru navedite podatke, ki jih je treba spremeniti, in spremenjene podatke na dodatnem listu.

7 Podpis ali pečat

7.1 Ime fizične osebe, ki podpisuje ali je uporabljen njen pečat:

7.2 Označite ustrezní kvadrat glede na to, ali je bil dan podpis ali je bil uporabljen pečat s strani ali v imenu

7.2.1 imetnika in/ali prijavitelja,

7.2.2 zastopnika.

7.3 Datum podpisa ali pečata:

7.4 Podpis ali pečat:

⁵ Navedite spremenjeno(a) ime(na) in/ali naslov(e).

8. Fee

8.1 Currency and amount of the fee paid in connection with the present request for the recordal of change(s):

8.2 Method of payment:

9. Additional Sheets and Attachments

Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

Obrazec št. 3, 4. stran

8 Pristojbina

8.1 Valuta in znesek pristojbine, plačane v zvezi s to zahtevo za vpis sprememb(e):

8.2 Način plačila:

9 Dodatni listi in priloge

Označite ta kvadrat, če so priloženi dodatni listi in/ali priloge, in navedite skupno število takih listov in/ali prilog:

MODEL INTERNATIONAL FORM No. 4**REQUEST FOR THE RECORDAL OF A CHANGE
IN OWNERSHIP**

in respect of registration(s) and/or
application(s) for registration of mark(s)

submitted to the Office of

FOR OFFICE USE ONLY

Reference number of holder
and/or applicant:¹

Reference number of representative:¹

1. Request for Recordal

The recordal of the change in ownership indicated in the present request is hereby requested.

2. Registration(s) and/or Application(s) Concerned

The present request concerns the following registration(s) and/or application(s):

2.1 Registration number(s):

2.2 Application number(s):²

2.3 If the spaces under 2.1 or 2.2 are not sufficient, check this box and provide the information on an additional sheet.

¹ The reference number allotted by the holder and/or applicant and/or the reference number allotted by the representative to the present request may be indicated in this space.

² Where the application number of an application has not yet been issued or is not known to the applicant or his representative, that application may be identified by furnishing either: (i) the provisional application number, if any, given by the Office, or (ii) a copy of the application, or (iii) a reproduction of the mark, accompanied by an indication of the date on which, to the best knowledge of the applicant or his representative, the application was received by the Office and an identification number given to the application by the applicant or his representative.

VZOREC MEDNARODNEGA OBRAZCA ŠT. 4
ZAHTEVA ZA VPIS SPREMEMBE LASTNIŠTVA

v zvezi z registracijo(ami) in/ali prijavo(ami) za registracijo znamk,
predložena Uradu.....

Izpolni urad

Referenčna številka imetnika in/ali prijavitelja: ¹
Referenčna številka zastopnika: ¹

1 Zahteva za vpis

Zahteva se vpis spremembe lastništva, navedene v tej zahtevi.

2 Zadevn(a)e registracija(e) in/ali prijava(e)

Ta zahteva zadeva naslednj(o)e registracijo(e) in/ali prijavo(e):

2.1 Številka(e) registracij(e):

2.2 Številka(e) prijav(e):²

2.3 Če prostor pod 2.1 ali 2.2 ne zadošča, označite ta kvadrat in navedite podatke na dodatnem listu.

¹ Na tem mestu se lahko navede referenčna številka, ki jo je tej zahtevi dal imetnik in/ali prijavitelj, in/ali referenčna številka, ki jo je dal zastopnik.

² Kadar številka prijave še ni izdana ali prijavitelju ali njegovemu zastopniku ni znana, se lahko prijava identificira s predložitvijo: (i) začasne številke prijave, ki jo je dal urad, če ta številka obstaja, ali (ii) kopije prijave ali (iii) reprodukcije znamke, ki jo spremlja navedba datuma, ko je po vedenju prijavitelja ali zastopnika urad prejel prijavo, in identifikacijske številke, ki jo je prijavi dal prijavitelj ali njegov zastopnik.

3. Goods and/or Services Affected by the Change

- 3.1 Check this box where all the goods and/or services listed in the application(s) and/or registration(s) referred to in item 2 are affected by the change.
- 3.2 Check this box where item 2 mentions only one application or registration and where only some of the goods and/or services listed in that application or registration are affected by the change and indicate the goods and/or services that should appear in the application or registration of the new owner (in which case the goods and/or services not indicated will remain in the application or registration of the applicant or holder):
- 3.3 Check this box where item 2 mentions more than one application or registration and if in respect of at least one of them the change affects less than all the goods and/or services listed. In this case, indicate on an additional sheet, separately in respect of each application and/or registration, whether the change affects all the goods and/or services or only some of them. In respect of any application or registration where only some of the goods and/or services are affected by the change, make the indication in the way specified in item 3.2.
-

Obrazec št. 4, 2. stran

3 Blago in/ali storitve, na katere vpliva sprememba

- 3.1 Označite ta kvadrat, kadar sprememba vpliva na vse blago in/ali storitve, naštete v prijavi(ah) in/ali registraciji(ah) iz 2. točke.
- 3.2 Označite ta kvadrat, kadar 2. točka omenja le eno prijavo ali registracijo in kadar sprememba vpliva le na nekatero blago in/ali storitve, naštete v tej prijavi ali registraciji, ter navedite blago in/ali storitve, ki bi se morale pojaviti v prijavi ali registraciji novega lastnika (v tem primeru ostanejo blago in/ali storitve, ki niso navedene, v prijavi ali registraciji prijavitelja ali imetnika):
- 3.3 Označite ta kvadrat, kadar 2. točka omenja več prijav ali registracij in če v zvezi z vsaj eno od njih sprememba vpliva le na nekatero našteto blago in/ali storitve. V tem primeru navedite na dodatnem listu ločeno za vsako prijavo in/ali registracijo, ali sprememba vpliva na vse blago in/ali storitve ali le na nekatere. V zvezi z vsako prijavo ali registracijo, pri kateri sprememba vpliva le na nekatero blago in/ali storitve, naj bo navedba na način, določen v točki 3.2.
-

4. Basis for the Change in Ownership

4.1 The change in ownership results from a contract.

One of the following documents is enclosed:

4.1.1 a copy, certified as being in conformity with the original, of the contract.

4.1.2 an extract, certified as being a true extract, of the contract.

4.1.3 a certificate of transfer.

4.1.4 a transfer document.

4.2 The change in ownership results from a merger.

A copy, certified as being in conformity with the original, of the following document, evidencing the merger, is enclosed:

4.2.1 extract from the register of commerce.

4.2.2 other document originating from the competent authority.

4.3 The change in ownership does not result from a contract or a merger.

4.3.1 A copy, certified as being in conformity with the original, of a document evidencing the change is enclosed.

Obrazec št. 4, 3. stran

4 Podlaga za spremembo lastništva

4.1 Sprememba lastništva je posledica pogodbe.

Priložen je eden od naslednjih dokumentov:

4.1.1 kopija pogodbe, overjena kot skladna z izvornikom,

4.1.2 izpisek iz pogodbe, overjen kot resničen izpisek,

4.1.3 potrdilo o prenosu,

4.1.4 dokument o prenosu.

4.2 Sprememba lastništva je posledica združitve.

Priložena je kopija naslednjega dokumenta, ki dokazuje združitev, overjena kot skladna z izvornikom:

4.2.1 izpisek iz trgovinskega registra,

4.2.2 drug dokument, ki ga je izdal pristojni organ.

4.3 Sprememba lastništva ni posledica pogodbe ali združitve.

4.3.1 Priložena je kopija dokumenta, ki dokazuje spremembo, overjena kot skladna z izvornikom.

5. Holder(s) and/or Applicant(s)

5.1 If the holder and/or applicant is a natural person, the person's

(a) family or principal name:³

(b) given or secondary name(s):³

5.2 If the holder and/or applicant is a legal entity, the entity's full official designation:

5.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

5.4 Check this box if there is more than one holder and/or applicant affected by the change; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 5.1 or 5.2 and 5.3.

5.5 Check this box if the holder and/or applicant, or one of the holders and/or applicants, has changed names and/or addresses without requesting the recordal of that change, and enclose a document evidencing that the person having transferred the ownership and the holder and/or applicant are the same person.

6. Representative of the Holder and/or Applicant

6.1 Name:

6.2 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

6.3 Serial number of the power of attorney:⁴

³ The names to be indicated under (a) and (b) are those which were indicated in the application(s), or are recorded in respect of the registration(s), to which the present request relates.

⁴ To be left blank if the power of attorney has not, or has not yet, been allotted a serial number or if the serial number is not yet known to the holder and/or applicant or the representative.

Obrazec št. 4, 4. stran

5 Imetnik(i) in/ali prijavitelj(i)

5.1 Če je imetnik in/ali prijavitelj fizična oseba,

(a) priimek ali glavno ime:³

(b) prvo ali dodatno(a) ime(na):³

5.2 Če je imetnik in/ali prijavitelj pravna oseba, popolno uradno ime:

5.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

5.4 Označite ta kvadrat, če sprememba vpliva na več imetnikov in/ali prijaviteljev; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 5.1 ali 5.2 in 5.3.

5.5 Označite ta kvadrat, če je imetnik in/ali prijavitelj ali eden od imetnikov in/ali prijaviteljev spremenil imena in/ali naslove, ne da bi zahteval vpis te spremembe, in priložite dokument, ki dokazuje, da sta oseba, ki je prenesla lastništvo, in imetnik in/ali prijavitelj ista.

6 Zastopnik imetnika in/ali prijavitelja

6.1 Ime:

6.2 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

6.3 Serijska številka pooblastila:⁴

³ Imena, ki jih je treba navesti pod (a) in (b), so tista, ki so bila navedena v prijavi(ah) ali vpisana v zvezi z registracijo(ami), na katero(e) se nanaša ta zahteva.

⁴ Pustiti prazno, če pooblastilu ni ali še ni bila dana serijska številka ali če ta imetniku in/ali prijavitelju ali zastopniku še ni znana.

7. Address for Service of the Holder and/or Applicant

8. New Owner(s)

8.1 If the new owner is a natural person, the person's

(a) family or principal name:⁵

(b) given or secondary name(s):⁵

8.2 If the new owner is a legal entity, the entity's full official designation:

8.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

8.4 State of nationality:

State of domicile:

State of establishment:⁶

8.5 Where the new owner is a legal entity, indicate

- the legal nature of the legal entity:
- the State, and, where applicable, the territorial unit within that State, under the law of which the legal entity is organized:

8.6 Check this box if there is more than one new owner; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 8.1 or 8.2, 8.3, 8.4 and 8.5.⁷

⁵ The names to be indicated under (a) and (b) are either the full names of the new owner or the names customarily used by the new owner.

⁶ "Establishment" means a real and effective industrial or commercial establishment.

⁷ Where several new owners are listed on the additional sheet with different addresses and there is no representative, the address for correspondence must be underlined on the additional sheet.

Obrazec št. 4, 5. stran

7 Naslov imetnika in/ali prijavitelja za vročitve

8 Novi lastnik(i)

8.1 Če je novi lastnik fizična oseba,

(a) priimek ali glavno ime:⁵

(b) prvo ali dodatno(a) ime(na):⁵

8.2 Če je novi lastnik pravna oseba, popolno uradno ime:

8.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

8.4 Država državljanstva:

Država stalnega prebivališča:

Država podjetja:⁶

8.5 Če je novi lastnik pravna oseba, navedite

- pravno naravo pravne osebe:

- državo, in kadar je to primerno, ozemeljsko enoto znotraj te države, po katere pravu je pravna oseba organizirana:

8.6 Označite ta kvadrat, če je novih lastnikov več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih podatke iz točk 8.1 ali 8.2, 8.3, 8.4 in 8.5.⁷

⁵ Imena, ki jih je treba navesti pod (a) in (b), so bodisi popolna imena novega lastnika ali imena, ki jih običajno uporablja.

⁶ "Podjetje" pomeni dejansko in resno industrijsko ali trgovsko podjetje.

⁷ Kadar imajo novi lastniki, navedeni na posebnem listu, različne naslove in ni zastopnika, mora biti naslov za dopisovanje na dodatnem listu podčrtan.

9. Representative of the New Owner

9.1 The new owner is not represented.

9.2 The new owner is represented.

9.2.1 Identification of the representative

9.2.1.1 Name:

9.2.1.2 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

9.2.2 The power of attorney is already in the possession of the Office.
Serial number:⁸

9.2.3 The power of attorney is attached.

9.2.4 The power of attorney will be furnished at a later date.

9.2.5 No power of attorney is needed.

10. Address for Service of the New Owner⁹

⁸ To be left blank if the power of attorney has not, or has not yet, been allotted a serial number or if the serial number is not yet known to the new owner or the representative.

⁹ An address for service must be indicated in the space available under the title of item 10 where the new owner does not have or, if there is more than one new owner, where none of the new owners has a domicile or a real and effective industrial or commercial establishment on the territory of the Contracting Party whose Office is the Office named on the first page of the present request, except where a representative is indicated in item 9.

Obrazec št. 4, 6. stran

9 Zastopnik novega lastnika9.1 Novi lastnik nima zastopnika.9.2 Novi lastnik ima zastopnika.

9.2.1 Identifikacija zastopnika

9.2.1.1 Ime:

9.2.1.2 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:

(s karakteristično številko)

Številka(e) telefaksa:

(s karakteristično številko)

9.2.2 Pooblastilo je že pri uradu. Serijska številka:⁸9.2.3 Pooblastilo je priloženo.9.2.4 Pooblastilo bo predloženo naknadno.9.2.5 Pooblastilo ni potrebno.

10 Naslov novega lastnika za vročitev⁹

⁸ Pustiti prazno, če pooblastilu ni ali še ni dodeljena serijska številka ali če ta novemu lastniku ali zastopniku še ni znana.

⁹ Naslov za vročitev je treba navesti na prostoru, ki je na voljo pod naslovom 10. točke, kadar novi lastnik ali nobeden od novih lastnikov, če jih je več, nima stalnega prebivališča ali dejanskega in resnega industrijskega ali trgovskega podjetja na ozemlju pogodbenice, katere urad je urad, imenovan na prvi strani te zahteve, razen kadar je zastopnik naveden v 9. točki.

11. Signature or Seal

11.1 Name of the natural person who signs or whose seal is used:

11.2 Check the appropriate box according to whether the signature is given, or the seal is used, by or on behalf of the

11.2.1 holder and/or applicant.

11.2.2 new owner.

11.2.3 representative.

11.3 Date of signature or of sealing:

11.4 Signature or seal:

12. Fee

12.1 Currency and amount of the fee paid in connection with the present request for the recordal of a change in ownership:

12.2 Method of payment:

13. Additional Sheets and Attachments

Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

Obrazec št. 4, 7. stran

11 Podpis ali pečat

11.1 Ime fizične osebe, ki podpisuje ali je uporabljen njen pečat:

11.2 Označite ustrezen kvadrat glede na to, ali je bil dan podpis ali je bil uporabljen pečat s strani ali v imenu

11.2.1 imetnika in/ali prijavitelja,

11.2.2 novega lastnika,

11.2.3 zastopnika.

11.3 Datum podpisa ali pečata:

11.4 Podpis ali pečat:

12 Pristojbina

12.1 Valuta in znesek pristojbine, plačane v zvezi s to zahtevo za vpis spremembe lastništva:

12.2 Način plačila:

13 Dodatni listi in priloge

Označite ta kvadrat, če so priloženi dodatni listi in/ali priloge, in navedite skupno število takih listov in/ali prilog:

MODEL INTERNATIONAL FORM No. 5**CERTIFICATE OF TRANSFER**

in respect of registration(s) and/or
application(s) for registration of mark(s)

submitted to the Office of

FOR OFFICE USE ONLY

1. Certification

The undersigned transferor(s) and transferee(s) hereby certify that the ownership of the registration(s) and/or application(s) identified below has been transferred by contract.

2. Registration(s) and/or Application(s) Concerned

The present certificate concerns the transfer of the following registration(s) and/or application(s):

2.1 Registration number(s):

2.2 Application number(s):¹

2.3 If the spaces under 2.1 or 2.2 are not sufficient, check this box and provide the information on an additional sheet.

¹ Where the application number of an application has not yet been issued or is not known to the transferor or his representative, that application may be identified by furnishing either: (i) the provisional application number, if any, given by the Office, or (ii) a copy of the application, or (iii) a reproduction of the mark, accompanied by an indication of the date on which, to the best knowledge of the transferor or his representative, the application was received by the Office and an identification number given to the application by the transferor or his representative.

VZOREC MEDNARODNEGA OBRAZCA ŠT. 5

POTRDILO O PRENOSU

v zvezi z registracijo(ami) in/ali prijavo(ami) za registracijo znamk,
predloženo Uradu.....

Izpolni urad

1 Potrditev

Podpisani prenosnik(i) in prevzemnik(i) potrjuje(jo), da je bilo lastništvo spodaj omenjen(e)ih registracij(e) in/ali prijav(e) preneseno s pogodbo.

2 Zadevn(a)e registracija(e) in/ali prijava(e)

To potrdilo zadeva prenos naslednje(ih) registracij(e) in/ali prijav(e):

2.1 Številka(e) registracij(e):

2.2 Številka(e) prijav(e):¹

2.3 Če prostor pod 2.1 ali 2.2 ne zadošča, označite ta kvadrat in navedite podatke na dodatnem listu.

¹ Kadar številka prijave še ni izdana ali prenosniku ali njegovemu zastopniku ni znana, se lahko prijava identificira s predložitvijo: (i) začasne številke prijave, ki jo je dal urad, če ta številka obstaja, ali (ii) kopije prijave ali (iii) reprodukcije znamke, ki jo spremlja navedba datuma, ko je po vedenju prenosnika ali njegovega zastopnika urad prejel prijavo, in identifikacijske številke, ki jo je prijavi dal prenosnik ali njegov zastopnik.

3. Goods and/or Services Affected by the Transfer

- 3.1 Check this box where all the goods and/or services listed in the application(s) and/or registration(s) referred to in item 2 have been affected by the transfer.
- 3.2 Check this box where item 2 mentions only one application or registration and where only some of the goods and/or services listed in that application or registration have been affected by the transfer and indicate the goods and/or services that have been affected by the transfer:
- 3.3 Check this box where item 2 mentions more than one application or registration and if in respect of at least one of them the transfer has affected less than all the goods and/or services listed. In this case, indicate on an additional sheet, separately in respect of each application and/or registration, whether the transfer affected all the goods and/or services or only some of them. In respect of any application or registration where only some of the goods and/or services were affected by the transfer, make the indication in the way specified in item 3.2.
-

Obrazec št. 5, 2. stran

3 Blago in/ali storitve, na katere vpliva prenos

- 3.1 Označite ta kvadrat, kadar prenos vpliva na vse blago in/ali storitve, naštete v prijavi(ah) in/ali registraciji(ah) iz 2. točke.
- 3.2 Označite ta kvadrat, kadar 2. točka omenja le eno prijavo ali registracijo in kadar prenos vpliva le na nekatero blago in/ali storitve, naštete v tej prijavi ali registraciji, ter navedite blago in/ali storitve, na katere vpliva prenos:
- 3.3 Označite ta kvadrat, kadar 2. točka omenja več prijav ali registracij in če v zvezi z vsaj eno od njih prenos vpliva le na nekatero našteto blago in/ali storitve. V tem primeru navedite na dodatnem listu ločeno za vsako prijavo in/ali registracijo, ali prenos vpliva na vse blago in/ali storitve ali le na nekatere. V zvezi z vsako prijavo ali registracijo, pri kateri prenos vpliva le na nekatero blago in/ali storitve, naj bo navedba na način, določen v točki 3.2.
-

4. Transferor(s)

4.1 If the transferor is a natural person, the person's

(a) family or principal name:²

(b) given or secondary name(s):²

4.2 If transferor is a legal entity, the entity's full official designation:

4.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

4.4 Check this box if there is more than one transferor; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 4.1 or 4.2 and 4.3.

² The names to be indicated under (a) and (b) are those which were indicated in the application(s), or are recorded in respect of the registration(s), to which the present certificate relates.

Obrazec št. 5, 3. stran

4 Prenosnik(i)

4.1 Če je prenosnik fizična oseba,

(a) priimek ali glavno ime:²

(b) prvo ali dodatno(a) ime(na):²

4.2 Če je prenosnik pravna oseba, popolno uradno ime:

4.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

4.4 Označite ta kvadrat, če je prenosnikov več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 4.1 ali 4.2 in 4.3.

² Imena, ki jih je treba navesti pod (a) in (b), so tista, ki so bila navedena v prijavi(ah) ali vpisana v zvezi z registracijo(ami), na katero(e) se nanaša to potrdilo.

5. Transferee(s)

5.1 If the transferee is a natural person, the person's

(a) family or principal name:³

(b) given or secondary name(s):³

5.2 If the transferee is a legal entity, the entity's full official designation:

5.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

5.4 Check this box if there is more than one transferee; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 5.1 or 5.2 and 5.3.

³ The names to be indicated under (a) and (b) are either the full names of the transferee or the names customarily used by the transferee.

Obrazec št. 5, 4. stran

5 Prevzemnik(i)

5.1 Če je prevzemnik fizična oseba,

(a) priimek ali glavno ime:³

(b) prvo ali dodatno(a)(a) ime(na):³

5.2 Če je prevzemnik pravna oseba, popolno uradno ime:

5.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

5.4 Označite ta kvadrat, če je prevzemnikov več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 5.1 ali 5.2 in 5.3.

³ Imena, ki jih je treba navesti pod (a) in (b), so bodisi popolna imena prevzemnika ali imena, ki jih ta običajno uporablja.

6. Signatures or Seals

6.1 Signature(s) or seal(s) of the transferor(s)

6.1.1 Name(s) of the natural person(s) who sign(s) or whose seal(s) is (are) used:

6.1.2 Date of signature(s) or of sealing(s):

6.1.3 Signature(s) or seal(s):

6.2 Signature(s) or seal(s) of the transferee(s)

6.2.1 Name(s) of the natural person(s) who sign(s) or whose seal(s) is (are) used:

6.2.2 Date of signature(s) or of sealing(s):

6.2.3 Signature(s) or seal(s):

7. Additional Sheets and Attachments

Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

Obrazec št. 5, 5. stran

6 Podpisi ali pečati

6.1 Podpis(i) ali pečat(i) prenosnika(ov)

6.1.1 Ime(na) fizične(ih) oseb(e), ki podpisuje(jo) ali je(so) uporabljen(i) njen(ihovi) pečat(i):

6.1.2 Datum podpisa(ov) ali pečata(ov):

6.1.3 Podpis(i) ali pečat(i):

6.2 Podpis(i) ali pečat(i) prevzemnika(ov)

6.2.1 Ime(na) fizične(ih) oseb(e), ki podpisuje(jo) ali je(so) uporabljen(i) njen(ihovi) pečat(i):

6.2.2 Datum podpisa(ov) ali pečata(ov):

6.2.3 Podpis(i) ali pečat(i):

7 Dodatni listi in priloge

Označite ta kvadrat, če so priloženi dodatni listi in/ali priloge, in navedite skupno število takih listov in/ali prilog:

MODEL INTERNATIONAL FORM No. 6

TRANSFER DOCUMENT

in respect of registration(s) and/or
application(s) for registration of marks

submitted to the Office of

FOR OFFICE USE ONLY

1. Declaration of Transfer

The undersigned transferor(s) transfers (transfer) to the undersigned transferee(s) the ownership of the registration(s) and/or application(s) identified below.

2. Registration(s) and/or Application(s) Concerned

The present document concerns the transfer of the following registration(s) and/or application(s):

2.1 Registration number(s):

2.2 Application number(s):¹

2.3 If the spaces under 2.1 or 2.2 are not sufficient, check this box and provide the information on an additional sheet.

¹ Where the application number of an application has not yet been issued or is not known to the transferor or his representative, that application may be identified by furnishing either: (i) the provisional application number, if any, given by the Office, or (ii) a copy of the application, or (iii) a reproduction of the mark, accompanied by an indication of the date on which, to the best knowledge of the transferor or his representative, the application was received by the Office and an identification number given to the application by the transferor or his representative.

VZOREC MEDNARODNEGA OBRAZCA ŠT. 6

DOKUMENT O PRENOSU

v zvezi z registracijo(ami) in/ali prijavo(ami) za registracijo znamk,
predložen Uradu.....

Izpolni urad

1 Izjava o prenosu

Podpisani prenosnik(i) prenaša(jo) na podpisane(a) prevzemnika(e) lastništvo spodaj omenjen(e)ih registracij(e) in/ali prijav(e).

2. Zadevn(a)e registracija(e) in/ali prijava(e)

Ta dokument zadeva prenos naslednje(ih) registracij(e) in/ali prijav(e):

2.1 Številka(e) registracij(e):

2.2 Številka(e) prijav(e):¹

2.3 Če prostor pod 2.1 ali 2.2 ne zadošča, označite ta kvadrat in navedite podatke na dodatnem listu.

¹ Kadar številka prijave še ni izdana ali prenosniku ali njegovemu zastopniku ni znana, se lahko prijava identificira s predložitvijo: (i) začasne številke prijave, ki jo je dal urad, če ta številka obstaja, ali (ii) kopije prijave ali (iii) reprodukcije znamke, ki jo spremlja navedba datuma, ko je po vedenju prenosnika ali njegovega zastopnika urad prejel prijavo, in identifikacijske številke, ki jo je prijavi dal prenosnik ali njegov zastopnik.

3. Goods and/or Services Affected by the Transfer

- 3.1 Check this box where all the goods and/or services listed in the application(s) and/or registration(s) referred to in item 2 are affected by the transfer.
- 3.2 Check this box where item 2 mentions only one application or registration and where only some of the goods and/or services listed in that application or registration are affected by the transfer and indicate the goods and/or services that are affected by the transfer:
- 3.3 Check this box where item 2 mentions more than one application or registration and if in respect of at least one of them the transfer affects less than all the goods and/or services listed. In this case, indicate on an additional sheet, separately in respect of each application and/or registration, whether the transfer affects all the goods and/or services or only some of them. In respect of any application or registration where only some of the goods and/or services that are affected by the transfer, make the indication in the way specified in item 3.2.
-

Obrazec št. 6, 2. stran

3 Blago in/ali storitve, na katere vpliva prenos

- 3.1 Označite ta kvadrat, kadar prenos vpliva na vse blago in/ali storitve, naštete v prijavi(ah) in/ali registraciji(ah) iz 2. točke.
- 3.2 Označite ta kvadrat, kadar 2. točka omenja le eno prijavo ali registracijo in kadar prenos vpliva le na nekatero blago in/ali storitve, naštete v tej prijavi ali registraciji, ter navedite blago in/ali storitve, na katere vpliva prenos:
- 3.3 Označite ta kvadrat, kadar 2. točka omenja več prijav ali registracij in če v zvezi z vsaj eno od njih prenos vpliva le na nekatero našteto blago in/ali storitve. V tem primeru navedite na dodatnem listu ločeno za vsako prijavo in/ali registracijo, ali prenos vpliva na vse blago in/ali storitve ali le na nekatere. V zvezi z vsako prijavo ali registracijo, pri kateri prenos vpliva le na nekatero blago in/ali storitve, naj bo navedba na način, določen v točki 3.2.
-

4. Transferor(s)

4.1 If the transferor is a natural person, the person's

(a) family or principal name:²

(b) given or secondary name(s):²

4.2 If the transferor is a legal entity, the entity's full official designation:

4.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

4.4 Check this box if there is more than one transferor; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 4.1 or 4.2 and 4.3.

² The names to be indicated under (a) and (b) are those which were indicated in the application(s), or are recorded in respect of the registration(s), to which the present document relates.

Obrazec št. 6, 3. stran

4 Prenosnik(i)

4.1 Če je prenosnik fizična oseba,

(a) priimek ali glavno ime:²

(b) prvo ali dodatno(a) ime(na):²

4.2 Če je prenosnik pravna oseba, popolno uradno ime:

4.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

4.4 Označite ta kvadrat, če je prenosnikov več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 4.1 ali 4.2 in 4.3.

² Imena, ki jih je treba navesti pod (a) in (b), so tista, ki so bila navedena v prijavi(ah) ali vpisana v zvezi z registracijo(ami), na katero(e) se nanaša ta dokument.

5. Transferee(s)

5.1 If the transferee is a natural person, the person's

(a) family or principal name:³

(b) given or secondary name(s):³

5.2 If the transferee is a legal entity, the entity's full official designation:

5.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

5.4 Check this box if there is more than one transferee; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 5.1 or 5.2 and 5.3.

6. Additional Indications (see the Annex to this Form (attached))

(the furnishing of any of those indications is optional for the purposes of recordal of the change in ownership)

Check this box if the Annex is used.

³ The names to be indicated under (a) and (b) are either the full names of the transferee or the names customarily used by the transferee.

Obrazec št. 6, 4. stran

5 Prevzemnik(i)

5.1 Če je prevzemnik fizična oseba,

(a) priimek ali glavno ime:³

(b) prvo ali dodatno(a) ime(na):³

5.2 Če je prevzemnik pravna oseba, popolno uradno ime:

5.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

5.4 Označite ta kvadrat, če je prevzemnikov več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 5.1 ali 5.2 in 5.3.

6 Dodatne navedbe (glej aneks tega obrazca (dodan))

(predložitev vsake od teh navedb je neobvezna pri vpisu spremembe lastništva)

Označite ta kvadrat, če se uporablja aneks.

³ Imena, ki jih je treba navesti pod (a) in (b), so bodisi popolna imena prevzemnika ali imena, ki jih ta običajno uporablja.

7. Signatures or Seals

7.1 Signature(s) or seal(s) of the transferor(s)

7.1.1 Name(s) of the natural person(s) who sign(s) or whose seal(s) is (are) used:

7.1.2 Date of signature(s) or of sealing(s):

7.1.3 Signature(s) or seal(s):

7.2 Signature(s) or seal(s) of the transferee(s)

7.2.1 Name(s) of the natural person(s) who sign(s) or whose seal(s) is (are) used:

7.2.2 Date of signature(s) or of sealing(s):

7.2.3 Signature(s) or seal(s):

8. Additional Sheets, Attachments and Annex

Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

Check this box if an Annex is enclosed and indicate the number of the pages of the Annex and the number of any additional sheets to the Annex:

Obrazec št. 6, 5. stran

7 Podpisi ali pečati

7.1 Podpis(i) ali pečat(i) prenosnika(ov)

7.1.1 Ime(na) fizične(ih) oseb(e), ki podpisuje(jo) ali je(so) uporabljen(i) njen(ihovi) pečat(i):

7.1.2 Datum podpisa(ov) ali pečata(ov):

7.1.3 Podpis(i) ali pečat(i):

7.2 Podpis(i) ali pečat(i) prevzemnika(ov)

7.2.1 Ime(na) fizične(ih) oseb(e), ki podpisuje(jo) ali je(so) uporabljen(i) njen(ihovi) pečat(i):

7.2.2 Datum podpisa(ov) ali pečata(ov):

7.2.3 Podpis(i) ali pečat(i):

8 Dodatni listi, priloge in aneks

Označite ta kvadrat, če so priloženi dodatni listi in/ali priloge, in navedite skupno število takih listov in/ali prilog:

Označite ta kvadrat, če je priložen aneks, in navedite število strani aneksa in število vseh dodatnih listov aneksa:

Annex to Form No. 6

**Additional Indications Relating
to a Transfer Document (Item 6)****A. Transfer of Goodwill or Business**

- (a) Check this box where the transfer is made with the relevant goodwill or the business in respect of all the goods and/or services listed in the application(s) and/or registration(s) referred to in item 2 of the transfer document.
- (b) Check this box where item 2 of the transfer document mentions only one application or registration and where the transfer is made with the relevant goodwill or the business in respect of only some of the goods and/or services listed in that application or registration and indicate the goods and/or services in respect of which the transfer is made with the relevant goodwill or the business:
- (c) Check this box where item 2 of the transfer document mentions more than one application or registration and if in respect of at least one of them the transfer is made with the relevant goodwill or the business in respect of less than all the goods and/or services listed. In this case, indicate on an additional sheet, separately in respect of each application and/or registration, whether the transfer is made with the relevant goodwill or the business in respect of all the goods and/or services or only some of them. In respect of any application or registration where the transfer is made with the relevant goodwill or the business in respect of only some of the goods and/or services, make the indication in the way specified in item (b).

Aneks obrazca št. 6Dodatne navedbe v zvezi z dokumentom o prenosu (6. točka)A. Prenos dobrega imena ali poslov

- (a) Označite ta kvadrat, kadar je opravljen prenos zadevnega dobrega imena ali poslov v zvezi z vsem blagom in/ali storitvami, naštetimi v prijavi(ah) in/ali registraciji(ah) iz 2. točke dokumenta o prenosu.
- (b) Označite ta kvadrat, kadar 2. točka dokumenta o prenosu omenja le eno prijavo ali registracijo in kadar je opravljen prenos zadevnega dobrega imena ali poslov v zvezi z le nekaterim blagom in/ali storitvami, naštetimi v tej prijavi ali registraciji, ter navedite blago in/ali storitve, v zvezi s katerimi je opravljen prenos zadevnega dobrega imena ali poslov:
- (c) Označite ta kvadrat, kadar 2. točka dokumenta o prenosu omenja več prijav ali registracij in če je v zvezi z vsaj eno od njih opravljen prenos zadevnega dobrega imena ali poslov le na nekatero našteto blago in/ali storitve. V tem primeru navedite na dodatnem listu ločeno za vsako prijavo in/ali registracijo, ali je opravljen prenos zadevnega dobrega imena ali poslov v zvezi z vsem blagom in/ali storitvami ali le z nekaterim. V zvezi z vsako prijavo ali registracijo, pri kateri je opravljen prenos zadevnega dobrega imena ali poslov v zvezi z le nekaterim blagom in/ali storitvami, naj bo navedba na način, določen v točki (b).

B. Transfer of Rights Resulting from Use

The rights, arising from the use of the mark, are transferred in respect of

- (a) all registration(s) and/or application(s).
- (b) only the following registration(s) and/or application(s):

C. Transfer of the Right to Sue

The transferee shall have the right to sue for past infringements.

D. Consideration

- (a) The transfer is effected in consideration for money received.
- (b) The transfer is effected in consideration for money received and other good and valuable consideration.
- (c) The transferor hereby acknowledges receipt of the above-mentioned consideration.

E. Effective Date of the Transfer

- (a) The transfer is effective as of the date of signature of the present transfer document.
- (b) The transfer is effective as of the following date:

Aneks obrazca št. 6, 2. stran

B. Prenos pravic, ki so posledica uporabe

Pravice, ki izhajajo iz uporabe znamke, so prenesene v zvezi z

- (a) vsako(vsemi) registracijo(ami) in/ali prijavo(ami),
- (b) le naslednjo(imi) registracijo(ami) in/ali prijavo(ami).

C. Prenos pravice do tožbe

Prevzemnik ima pravico do tožbe zaradi predhodnih kršitev.

D. Nadomestilo

- (a) Prenos je opravljen v protivrednosti prejetega denarja.
- (b) Prenos je opravljen v protivrednosti prejetega denarja in drugega sprejemljivega nadomestila.
- (c) Prenosnik potrjuje prejem zgoraj omenjenega nadomestila.

E. Začetek veljavnosti prenosa

- (a) Prenos začne veljati z dnem podpisa tega dokumenta o prenosu.
- (b) Prenos začne veljati z naslednjim dnem: ...

MODEL INTERNATIONAL FORM No. 7**REQUEST FOR THE CORRECTION OF MISTAKE(S)**

in registration(s) and/or application(s) for registration of marks

submitted to the Office of

FOR OFFICE USE ONLY

Reference number of holder
and/or applicant:¹

Reference number of representative:¹

1. Request for Correction

The correction(s) identified in the present request is (are) hereby requested.

2. Registration(s) and/or Application(s) Concerned

The present request concerns the following registration(s) and/or application(s):

2.1 Registration number(s):

2.2 Application number(s):²

2.3 If the spaces under 2.1 or 2.2 are not sufficient, check this box and provide the information on an additional sheet.

¹ The reference number allotted by the holder and/or applicant and/or the reference number allotted by the representative to the present request may be indicated in this space.

² Where the application number of an application has not yet been issued or is not known to the applicant or his representative, that application may be identified by furnishing either: (i) the provisional application number, if any, given by the Office, or (ii) a copy of the application, or (iii) a reproduction of the mark, accompanied by an indication of the date on which, to the best knowledge of the applicant or his representative, the application was received by the Office and an identification number given to the application by the applicant or his representative.

VZOREC MEDNARODNEGA OBRAZCA ŠT. 7

ZAHTEVA ZA POPRAVEK NAPAK(E)

v zvezi z registracijo(ami) ali prijavo(ami) za registracijo znamk,

predložena Uradu.....

Izpolni urad

Referenčna številka imetnika
in/ali prijavitelja:¹

Referenčna številka zastopnika:¹

1 Zahteva za popravek

Zahteva(jo) se popravek(i), naveden(i) v tej zahtevi.

2 Zadevn(a)e registracija(e) ali prijava(e)

Ta zahteva zadeva naslednj(o)e registracijo(e) in/ali prijavo(e):

2.1 Številka(e) registracij(e):

2.2 Številka(e) prijav(e):²

2.3 Če prostor pod 2.1 ali 2.2 ne zadošča, označite ta kvadrat in navedite podatke na dodatnem listu.

¹ Na tem mestu se lahko navede številka, ki jo je tej zahtevi dal imetnik in/ali prijavitelj in/ali zastopnik.

² Kadar številka prijave še ni izdana ali prijavitelju ali njegovemu zastopniku ni znana, se lahko prijava identificira s predložitvijo: (i) začasne številke prijave, ki jo je dal urad, če ta številka obstaja, ali (ii) kopije prijave ali (iii) reprodukcije znamke, ki jo spremlja navedba datuma, ko je po vedenju prijavitelja ali zastopnika urad prejel prijavo, in identifikacijske številke, ki jo je prijavi dal prijavitelj ali njegov zastopnik.

3. Holder(s) and/or Applicant(s)

3.1 If the holder and/or applicant is a natural person, the person's

(a) family or principal name:³

(b) given or secondary name(s):³

3.2 If the holder and/or applicant is a legal entity, the entity's full official designation:

3.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

3.4 Check this box if there is more than one holder and/or applicant; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 3.1 or 3.2 and 3.3.

4. Representative

4.1 Name:

4.2 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

4.3 Serial number of the power of attorney:⁴

³ The names to be indicated under (a) and (b) are those which were indicated in the application(s), or are recorded in respect of the registration(s), to which the present request relates.

⁴ To be left blank if the power of attorney has not, or has not yet, been allotted a serial number or if the serial number is not yet known to the holder and/or applicant or the representative.

Obrazec št. 7, 2. stran

3 Imetnik(i) in/ali prijavitelj(i)

3.1 Če je imetnik in/ali prijavitelj fizična oseba,

(a) priimek ali glavno ime:³

(b) prvo ali dodatno(a) ime(na):³

3.2 Če je imetnik in/ali prijavitelj pravna oseba, popolno uradno ime:

3.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

3.4 Označite ta kvadrat, če je imetnikov in/ali prijaviteljev več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 3.1 ali 3.2 in 3.3.

4 Zastopnik

4.1 Ime:

4.2 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

4.3 Serijska številka pooblastila:⁴

³ Imena, ki jih je treba navesti pod (a) in (b), so tista, ki so bila navedena v prijavi(ah) ali vpisana v zvezi z registracijo(ami), na katero(e) se nanaša ta zahteva.

⁴ Pustiti prazno, če pooblastilu ni ali še ni bila dana serijska številka ali če ta imetniku in/ali prijavitelju ali zastopniku še ni znana.

5. Address for Service

6. Indication of Mistake(s) and Correction(s)

6.1 Data to be corrected:

Data as corrected:

6.2 Check this box if the above space is insufficient; in that case, indicate on an additional sheet the data to be corrected with the data as corrected.

7. Signature or Seal

7.1 Name of the natural person who signs or whose seal is used:

7.2 Check the appropriate box according to whether the signature is given, or the seal is used, by or on behalf of the

7.2.1 holder and/or applicant.

7.2.2 representative.

7.3 Date of signature or of sealing:

7.4. Signature or seal:

Obrazec št. 7, 3. stran

5 Naslov za vročitev

6 Navedba napak(e) in popravka(ov)

6.1 Podatki, ki jih je treba popraviti:

Popravljeni podatki:

6.2 Označite ta kvadrat, če zgornji prostor ne zadošča; v tem primeru navedite podatke, ki jih je treba popraviti, in popravljene podatke na dodatnem listu.

7 Podpis ali pečat

7.1 Ime fizične osebe, ki podpisuje ali je uporabljen njen pečat:

7.2 Označite ustrezen kvadrat glede na to, ali je dan podpis ali je uporabljen pečat s strani ali v imenu

7.2.1 imetnika in/ali prijavitelja,

7.2.2 zastopnika.

7.3 Datum podpisa ali pečata:

7.4 Podpis ali pečat:

8. Fee

8.1 Currency and amount of the fee paid in connection with the present request for correction:

8.2 Method of payment:

9. Additional Sheets and Attachments

Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

Obrazec št. 7, 4. stran

8 Pristojbina

8.1 Valuta in znesek pristojbine, plačane v zvezi s to zahtevo za popravek:

8.2 Način plačila:

9 Dodatni listi in priloge

Označite ta kvadrat, če so priloženi dodatni listi in/ali priloge, in navedite skupno število takih listov in/ali prilog:

MODEL INTERNATIONAL FORM No. 8

REQUEST FOR THE RENEWAL OF A REGISTRATION

submitted to the Office of

FOR OFFICE USE ONLY

Reference number of holder:¹

Reference number of representative:¹

1. Indication That a Renewal is Sought

The renewal of the registration identified in the present request is hereby requested.

2. Registration Concerned

2.1 Registration number:

2.2 Filing date of the application which resulted in the registration:

Registration date:

¹ The reference number allotted by the holder and/or the reference number allotted by the representative to the present request for renewal may be indicated in this space.

VZOREC MEDNARODNEGA OBRAZCA ŠT. 8

ZAHTEVA ZA PODALJŠANJE VELJAVNOSTI REGISTRACIJE

predložena Uradu.....

Izpolni urad

Referenčna številka imetnika:¹
Referenčna številka zastopnika:¹

1 Navedba, da se zahteva podaljšanje veljavnosti

Zahteva se podaljšanje veljavnosti registracije, navedene v tej zahtevi.

2 Zadevna registracija

2.1 Številka registracije:

2.2 Datum vložitve prijave, katere posledica je registracija:

Datum registracije:

¹ Na tem mestu se lahko navede številka, ki jo je tej zahtevi za podaljšanje dal imetnik in/ali zastopnik.

3. Holder(s)

3.1 If the holder is a natural person, the person's

(a) family or principal name:²

(b) given or secondary name(s):²

3.2 If the holder is a legal entity, the entity's full official designation:

3.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

3.4 Check this box if there is more than one holder; in that case, list them on an additional sheet and indicate, in respect of each of them, the data referred to in items 3.1 or 3.2 and 3.3.

4. Representative of the Holder

4.1 Name:

4.2 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

4.3 Serial number of the power of attorney:³

² The names to be indicated under (a) and (b) are those which are recorded in respect of the registration to which the present request relates.

³ To be left blank if the power of attorney has not, or has not yet, been allotted a serial number or if the serial number is not yet known to the holder or the representative.

Obrazec št. 8, 2. stran

3 Imetnik(i)

3.1 Če je imetnik fizična oseba,

(a) priimek ali glavno ime:²

(b) prvo ali dodatno(a) ime(na):²

3.2 Če je imetnik pravna oseba, popolno uradno ime:

3.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

3.4 Označite ta kvadrat, če je imetnikov več; v tem primeru jih navedite na dodatnem listu in za vsakega od njih navedite podatke iz točk 3.1 ali 3.2 in 3.3.

4 Zastopnik imetnika

4.1 Ime:

4.2 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

4.3 Serijska številka pooblastila:³

² Imena, ki jih je treba navesti pod (a) in (b), so tista, ki so vpisana v zvezi z registracijo, na katero se nanaša ta zahteva.

³ Pustiti prazno, če pooblastilu ni ali še ni bila dana serijska številka ali če ta imetniku ali zastopniku še ni znana.

5. Address for Service of the Holder

6. Goods and/or Services⁴

- 6.1 Renewal is requested for all the goods and/or services covered by the registration.
- 6.2 Renewal is only requested for the following goods and/or services covered by the registration:⁵
- 6.3 Renewal is requested for all the goods and/or services covered by the registration except the following:⁶
- 6.4 Check this box if the above space is insufficient and use an additional sheet.
-

⁴ Check only one of boxes 6.1, 6.2 or 6.3.

⁵ The list of the goods and/or services for which renewal is requested must be presented in the same way as it appears in the registration (grouping according to the classes of the Nice Classification, starting with an indication of the number of the relevant class and, where the goods or services belong to more than one class, presentation in the order of the classes of that Classification).

⁶ The goods and/or services for which renewal is not requested must, where they belong to more than one class of the Nice Classification, be grouped according to the classes of that Classification, starting with an indication of the number of the relevant class and presented in the order of the classes of the said Classification.

Obrazec št. 8, 3. stran

5 Naslov imetnika za vročitev

6 Blago in/ali storitve⁴

- 6.1 Podaljšanje veljavnosti se zahteva za vse blago in/ali storitve, ki jih vključuje registracija.
- 6.2 Podaljšanje veljavnosti se zahteva le za naslednje blago in/ali storitve, ki jih vključuje registracija.⁵
- 6.3 Podaljšanje veljavnosti se zahteva za vse blago in/ali storitve, ki jih vključuje registracija, razen za naslednje:⁶
- 6.4 Označite ta kvadrat, če zgornji prostor ne zadošča, in uporabite dodatni list.
-

⁴ Označite le enega od kvadratov 6.1, 6.2 ali 6.3.

⁵ Seznam blaga in/ali storitev, za katere se zahteva podaljšanje veljavnosti, mora biti predstavljen tako kot v registraciji (razvrstitev v skupine glede na razrede Nicejske klasifikacije, pri čemer se najprej navede številka zadevnega razreda, če pa blago ali storitve pripadajo več razredom, pa predstavitev po vrstnem redu razredov te klasifikacije).

⁶ Blago in/ali storitve, za katere se ne zahteva podaljšanje veljavnosti in ki pripadajo več razredom Nicejske klasifikacije, morajo biti razvrščeni v skupine glede na razrede te klasifikacije, pri čemer se najprej navede številka zadevnega razreda, predstavljeni pa so po vrstnem redu razredov omenjene klasifikacije.

7. Person, Other Than the Holder or the Representative of the Holder, who Files the Present Request for Renewal

IMPORTANT: A person other than the holder or the representative of the holder may file a request for renewal only where the Contracting Party concerned allows it. Consequently, the present item cannot be completed if the Contracting Party whose Office is the Office identified on the first page of the present request for renewal does not allow a request for renewal to be filed by a person other than the holder or the representative of the holder.

Check this box if the present request for renewal is filed by a person other than the holder or the representative of the holder.

7.1 If the person is a natural person, the person's

(a) family or principal name:

(b) given or secondary name(s):

7.2 If the person is a legal entity, the entity's full official designation:

7.3 Address (including postal code and country):

Telephone number(s):
(with the area code)

Telefacsimile number(s):
(with the area code)

Obrazec št. 8, 4. stran

7 Oseba, ki ni imetnik ali zastopnik imetnika, ki vloga to zahtevo za podaljšanje veljavnosti

POMEMBNO: Oseba, ki ni imetnik ali zastopnik imetnika, lahko vloži zahtevo za podaljšanje veljavnosti le, če zadevna pogodbenica to dovoljuje. Zato se ta točka ne more izpolniti, če pogodbenica, katere urad je urad, imenovan na prvi strani te zahteve za podaljšanje veljavnosti, ne dovoljuje, da zahtevo za podaljšanje veljavnosti vloži oseba, ki ni imetnik ali zastopnik imetnika.

Označite ta kvadrat, če to zahtevo za podaljšanje veljavnosti vloga oseba, ki ni imetnik ali zastopnik imetnika.

7.1 Če je oseba fizična oseba,

(a) priimek ali glavno ime:

(b) prvo ali dodatno(a) ime(na):

7.2 Če je oseba pravna oseba, popolno uradno ime:

7.3 Naslov (vključno s poštno številko in državo):

Številka(e) telefona:
(s karakteristično številko)

Številka(e) telefaksa:
(s karakteristično številko)

8. Signature or Seal

8.1 Name of the natural person who signs or whose seal is used:

8.2 Check the appropriate box according to whether the signature is given, or the seal is used, by or on behalf of the

8.2.1 holder.

8.2.2 representative of the holder.

8.2.3 person referred to in item 7.

8.3 Date of signature or of sealing:

8.4. Signature or seal:

9. Fee

9.1 Currency and amount of the fee paid in connection with the present request for renewal:

9.2 Method of payment:

10. Additional Sheets and Attachments

Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

Obrazec št. 8, 5. stran

8 Podpis ali pečat

8.1 Ime fizične osebe, ki podpisuje ali je uporabljen njen pečat:

8.2 Označite ustrezen kvadrat glede na to, ali je dan podpis ali je uporabljen pečat s strani ali v imenu

8.2.1 imetnika,

8.2.2 zastopnika imetnika,

8.2.3 osebe iz 7. točke.

8.3 Datum podpisa ali pečata:

8.4 Podpis ali pečat:

9 Pristojbina

9.1 Valuta in znesek pristojbine, plačane v zvezi s to zahtevo za podaljšanje veljavnosti:

9.2 Način plačila:

10 Dodatni listi in priloge

Označite ta kvadrat, če so priloženi dodatni listi in/ali priloge, in navedite skupno število takih listov in/ali prilog:

3. člen

Za izvajanje pogodbe skrbi Ministrstvo za gospodarstvo – Urad RS za intelektualno lastnino.

4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 318-01/01-12/1

Ljubljana, dne 22. novembra 2001

Predsednik
Državnega zbora
Republike Slovenije
Borut Pahor l. r.

– **Obvestilo o začetku veljavnosti mednarodne pogodbe**

**OBVESTILO
o začetku veljavnosti mednarodne pogodbe**

Dne 5. decembra 2001 je začel veljati Sporazum med Vlado Republike Slovenije in Vlado Romunije o ponovnem sprejemu oseb, ki so nezakonito vstopile in/ali nezakonito bivajo na ozemlju njunih držav, podpisan dne 4. oktobra 2000 v Bukarešti in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 6/01 (Uradni list Republike Slovenije, št. 19/01).

Ministrstvo za zunanje zadeve
Republike Slovenije

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