THE LAW RELATING TO
THE OFFICE FOR THE PROTECTION
OF INDUSTRIAL PROPERTY.
DATED 2nd JULY 1910.

We, Haakon, King of Norway, make known:

That to Us has been presented the resolution dated 17th
of June 1910, of the Storting, as follows:

1. The composition and sphere of operation of the Office.

§ 1. The Office for the Protection of Industrial Property
is situated in Christiania. It shall be composed of per-
sons having technical, commercial and legal knowledge. The
latter shall be in possession of the qualifications generally
prescribed for the office of a judge.

The working of the Office shall be superintended by a
Director commissioned by the King.

The other members are appointed by the King without
commission to government officials, either as permanent mem-
ers, or for a term of usually five years.

§ 2. The Office consists of two Sections.

The First Section shall decide upon applications for indus-
trial protection.

The Second Section shall decide upon cases relating to
the examination of the decisions arrived at by the First
Section.

Under the control of the Sections shall also appear all
matters which by separate law are or might be appended
to them.

§ 3. The members of the First Section shall be per-
manent and one of the technical members shall be Chairman
of the Section.

The Director of the Office shall be Chairman of the
Second Section.

- 8 SEPT. 1971
The King shall appoint deputies for the Chairman.

In special cases the King may, at the request of the
Office, appoint members for decision in a separate case.

11. The treatment of the cases by the Sections.

§ 4. Any case received by the First Section shall be
dealt with by one of the members of the Section, and who for
applications for Patents shall be a member having technical,
and for applications for Trade Marks and Designs a member
having legal knowledge. Such member shall deal with the
case in every respect, except where it is provided that a
decision shall be given by the Section as a whole.

Such decision shall be given by a committee of three
members of the Section including the Chairman or his deputy
and the member who according to the first sub-section dealt
with the application.

§ 5. The decision of the Second Section shall be given
by a committee of five members including the Chairman or
his deputy. Three of these members shall have technical
or commercial and two of them legal knowledge.

The decision of the Second Section shall not be made
dependent on the facts which were present at the decision
given by the First Section.

If a fact, which has not been examined by the First
Section, is introduced, the Second Section may remit the case
for a new decision by the First Section.

§ 6. With regard to the impartiality of the members
the same rules shall apply as for judges generally.

No member can decide in a case, if he previously has
taken part in a decision relating to the industrial protection
in question.

The committees may consult experts who are not mem-
bers of the Office. Such experts are detached from voting.

§ 7. Anything which is considered necessary in order
to clear up the case, shall be dealt with before a decision
is given.

For this purpose the parties interested in the case may
be invited to, or may, at their request, be allowed to give
verbal explanation. Such explanations may also be received
from other persons for clearing up the case. Sufficient notice
shall be given to all parties concerned when a hearing for
such purpose is appointed.

§ 8. The party concerned may in order to throw light
on the case, without previous proceedings at the Court of
Constitution being necessary, demand that Witnesses may
be heard (Fingvilde). The committee concerned shall de-
side what other parties concerned shall be notified of the
appointment of such Hearing. The general regulations of
the law shall govern the length of such notice.
§ 9. If the decision is to be based on anything which
has not been previously under consideration with the parties
concerned, such parties shall be allowed, within a suitable
period, beforehand to give an explanation.
§ 10. The decisions shall be issued in the name of the
Office. They shall be accompanied by grounds stating what
is considered having been proved as basis for the decision
and in case also the interpretation of the Law upon which
the decision has been based.
If in such statements anything should appear indistinct
or not exhaustive, corrections may be made at the request
of one of the parties concerned, after explanation given by
the other party. Such request must be made within four
weeks after the decision is given.
§ 11. In such cases where, in accordance with special
legal provisions, the decisions of the Office may be brought
before the Law Courts for trial as to the interpretation of
the Law on which the decision is based, the Court shall
decide, if the contention of the prosecutor is approved of,
the decision invalid, and shall point out the interpretations
which are found to be wrong. If the finding of the Court
is to the effect that the interpretation of the Law on which
the decision is based, is not clear, the decision may be an-
nulled, and the mistakes which have led to such decision
shall be pointed out.

III. General Regulations.

§ 12. The members of the Office shall not be permitted
to act as Attorneys in matters regarding the Industrial Pro-
tection.
§ 13. The Office shall keep such Registers as are or
may be stipulated by special Law.
The Office shall issue a Gazette in which notifications
prescribed by Law regarding the Industrial Protection shall
be published.
§ 14. Copies of judgments by which industrial protec-
tion is declared invalid, is withdrawn from the Proprietor or
declared annulled, or which concern matters mentioned in §
11 of the present Law, shall be sent to the Office by the
Clerk of the Court concerned.
§ 15. The further regulations as to the routine of the
Office, and whatever is necessary for carrying out and working
the present Law, shall be fixed by the King.
§ 16. The present Law shall become operative on the 1st of January 1911. Members who are not permanent, shall be allowed, when desirable, to assist until further notice in the First Section of the Office and the rule in § 3, first sub-sections, shall form no obstacle thereto.

Therefore, We have sanctioned and confirmed, as We do hereby sanction and confirm the present Law, under Our hand and the Seal of the Kingdom.

Given at the Palace of Christiania the 2nd July 1910.

Hækon.

Konow.

L.N.

Hesselberg.