

Ο περί της Σύμβασης της Ναϊρόμπης για την Προστασία του Ολυμπιακού Συμβόλου (Κυρωτικός) Νόμος του 1985 εκδίδεται διά δημοσίευσως εις την επίσημον εφημερίδα της Κυπριακής Δημοκρατίας συμφώνως τω άρθρω 52 του Συντάγματος.

Αριθμός 9 του 1985

ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΗΣ ΣΥΜΒΑΣΗΣ ΓΙΑ  
ΤΗΝ ΠΡΟΣΤΑΣΙΑ ΤΟΥ ΟΛΥΜΠΙΑΚΟΥ ΣΥΜΒΟΛΟΥ

Η Βουλή των Αντιπροσώπων ψηφίζει τα ακόλουθα:

1. Ο νόμος αυτός θα αναφέρεται ως ο περί της Σύμβασης της Ναϊρόμπης για την Προστασία του Ολυμπιακού Συμβόλου (Κυρωτικός) Νόμος του 1985. Συνοπτικός τίτλος.

2. Στο Νόμο αυτό, εκτός αν από το κείμενο προκύπτει άλλη έννοια— Ερμηνεία.

«Σύμβαση» σημαίνει τη Σύμβαση της Ναϊρόμπης για την Προστασία του Ολυμπιακού Συμβόλου που έγινε στη Ναϊρόμπη την 26η Σεπτεμβρίου 1981, της οποίας το κείμενο στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα και σε μετάφραση στην Ελληνική στο Μέρος ΙΙ του Πίνακα:

Πίνακας.  
Μέρος Ι  
Μέρος ΙΙ.

Νοείται ότι σε περίπτωση αντίθεσης ανάμεσα στα δύο κείμενα επικρατεί το κείμενο που εκτίθεται στο Μέρος Ι του Πίνακα.

3. Η Σύμβαση, στην οποία η προσχώρηση της Κυπριακής Δημοκρατίας αποφασίσθη με την Απόφαση του Υπουργικού Συμβουλίου με αριθμό 24.486 και ημερομηνία 10 Μαΐου, 1984, με το Νόμο αυτό κυρώνεται.

Κύρωση  
Συμβάσεως.

Π Ι Ν Α Κ Α Σ  
(Άρθρο 2)

ΜΕΡΟΣ Ι

NAIROBI TREATY ON THE PROTECTION OF  
THE OLYMPIC SYMBOL

adopted at Nairobi on September 26, 1981

CHAPTER I - Substantive Provisions

Article 1: Obligation of States

Any State party to this Treaty shall be obliged, subject to Articles 2 and 3, to refuse or to invalidate the registration as a mark and to prohibit by appropriate measures the use, as a mark or other sign, for commercial purposes, of any sign consisting of or containing the Olympic symbol, as defined in the Charter of the International Olympic Committee, except with the authorization of the International Olympic Committee. The said definition and the graphic representation of the said symbol are reproduced in the Annex.

Article 2: Exceptions to the Obligation

(1) The obligation provided for in Article 1 shall not bind any State party to this Treaty in respect of:

(i) any mark consisting of or containing the Olympic symbol where that mark was registered in that State prior to the date on which this Treaty enters into force in respect of that State or during any period during which, in that State, the obligation provided for in Article 1 is considered as suspended under Article 3;

(ii) the continued use for commercial purposes of any mark or other sign, consisting of or containing the Olympic symbol, in that State by any person or enterprise who or which has lawfully started such use in the said State prior to the date on which this Treaty enters into force in respect of that State or during any period during which, in that State, the obligation provided for in Article 1 is considered as suspended under Article 3.

(2) The provisions of paragraph (1)(i) shall apply also in respect of marks whose registration has effect in the State by virtue of a registration under a treaty which the said State is a party to.

(3) Use with the authorization of the person or enterprise referred to in paragraph (1)(ii) shall be considered, for the purposes of the said paragraph, as use by the said person or enterprise.

(4) No State party to this Treaty shall be obliged to prohibit the use of the Olympic symbol where that symbol is used in the mass media for the purposes of information on the Olympic movement or its activities.

### Article 3: Suspension of the Obligation

The obligation provided for in Article 1 may be considered as suspended by any State party to this Treaty during any period during which there is no agreement in force between the International Olympic Committee and the National Olympic Committee of the said State concerning the conditions under which the International Olympic

Committee will grant authorizations for the use of the Olympic symbol in that State and concerning the part of the said National Olympic Committee in any revenue that the International Olympic Committee obtains for granting the said authorizations.

## CHAPTER II - Groupings of States

### Article 4: Exceptions to Chapter I

The provisions of Chapter I shall, as regards States party to this Treaty which are members of a customs union, a free trade area, any other economic grouping or any other regional or subregional grouping, be without prejudice to their commitments under the instrument establishing such union, area or other grouping, in particular as regards the provisions of such instrument governing the free movement of goods or services.

## CHAPTER III - Final Clauses

### Article 5: Becoming Party to the Treaty

(1) Any State member of the World Intellectual Property Organization (hereinafter referred to as "the Organization") or of the International (Paris) Union for the Protection of Industrial Property (hereinafter referred to as "the Paris Union") may become party to this Treaty by:

(i) signature followed by the deposit of an instrument of ratification, acceptance or approval, or

(ii) deposit of an instrument of accession.

(2) Any State not referred to in paragraph (1) which is a member of the United Nations or any of the Specialized Agencies brought into relationship with the United Nations may become party to this Treaty by deposit of an instrument of accession.

(3) Instruments of ratification, acceptance, approval and accession shall be deposited with the Director General of the Organization (hereinafter referred to as "the Director General").

#### Article 6: Entry Into Force of the Treaty

(1) With respect to the three States which are the first to deposit their instruments of ratification, acceptance, approval or accession, this Treaty shall enter into force one month after the day on which the third instrument of ratification, acceptance, approval or accession has been deposited.

(2) With respect to any other State which deposits its instrument of ratification, acceptance, approval or accession, this Treaty shall enter into force one month after the day on which that instrument has been deposited.

#### Article 7: Denunciation of the Treaty

(1) Any State may denounce this Treaty by notification addressed to the Director General.

(2) Denunciation shall take effect one year after the day on which the Director General has received the notification.