

VATICAN CITY

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IN COOPERATION WITH

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This chapter was last reviewed by the Author in September 2014.

The State of the Vatican City is located in Rome in Italy. It provides an extra-territorial and independent basis for the Holy See, which is the government of the Roman Catholic Church.

PART 1 PATENTS

§1.01 SUMMARY

[A] Kinds of Patents

- Not applicable in this jurisdiction.

[B] Duration of Patents

- Not applicable in this jurisdiction.

[C] Patentable / Not Patentable

- Not applicable in this jurisdiction. No provision is made for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration

of Italian national patents or of European patents validated in Italy, which do not per se enjoy any protection in the Vatican City. However, should an infringement case arise locally, Italian patent rights and perhaps also European patent rights validated in Italy, Italian new plant varieties and topographies of semiconductor products, as well as probably European Union (EU) plant variety rights, might be regarded as enforceable.

[D] Novelty

- Not applicable in this jurisdiction.

[E] Requirements and Procedure

- Not applicable in this jurisdiction.

[F] Specific Aspects of Regional Patents

- Not applicable in this jurisdiction.

[G] Specific Aspects of International Patent Applications (PCT)

- Not applicable in this jurisdiction.

[H] Governmental Websites

- www.vaticanstate.va

§1.02 DETAILED INFORMATION**[A] Conventions and Legislation***[1] Conventions*

- Paris Convention (International Union), accession 21 July 1960, entry into force 29 September 1960; Stockholm Act signed 14 July 1967, ratified 20 January 1975, entry into force 24 April 1975;
- Convention Establishing the World Intellectual Property Organization (WIPO Convention), 1967;
- Patent Cooperation Treaty (PCT), 1970 (not yet ratified);
- Strasbourg Agreement concerning the International Patent Classification, 1971 (IPC Union) (not yet ratified); and
- Amendment to Article 9(3) of the WIPO Convention, 1999 (not yet in force).

[2] Laws

- Law No. LXXI of 1 October 2008 (Law on the Sources of Law).

Law No. LXXI of 1 October 2008, which repealed the previous Law No. II of 7 June 1929, does not expressly deal with intellectual and industrial property, having the sole purpose of listing the sources of law of the Vatican legal system. Under the law of 1 October 2008, the Italian laws on industrial property, including the relevant regulations and the treaties ratified by Italy, which were in force on 1 January 2009, that is at the date of entry into force of Law No. LXXI of 1 October 2008, are applicable in the State of the Vatican City, provided their provisions are not contrary to the precepts of divine law or the general principles of Canonical law.

Although the current Italian Intellectual Property (IP) law (except its amendments entered after 1 January 2009) is applicable in the State of the Vatican City, the State has, however, no IP register and no provision for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian IP rights, which do not per se enjoy any protection in the Vatican City. Nevertheless and despite there being no specific case law to date, it is deemed that, should an infringement case arise locally, the Vatican Tribunals might regard Italian patent rights and perhaps also European patent rights validated in Italy, Italian new plant varieties and topographies of semiconductor products, as well as probably EU plant variety rights as enforceable, provided the applicable provisions of the Italian laws and/or conventions or regulations are not considered as contrary to the precepts of divine law or the general principles of Canonical law.

[B] Kinds of Patents

Not applicable in this jurisdiction.

[C] Duration of Patents

Not applicable in this jurisdiction.

[D] Requirements for Renewal

Not applicable in this jurisdiction.

[E] Patentable / Not Patentable

Not applicable in this jurisdiction. No provision is made for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian national patents or of European patents validated in Italy, Italian new plant varieties or EU plant variety rights and Italian topographies of semiconductor products, which do not per se enjoy any protection in the Vatican City.

[F] Novelty

Not applicable in this jurisdiction.

[G] Applicant

Not applicable in this jurisdiction.

[H] Assignment

Not applicable in this jurisdiction.

[I] Requirements for Filing

Not applicable in this jurisdiction.

[J] Procedure

Not applicable in this jurisdiction.

[K] Nullity and Lapse

Not applicable in this jurisdiction.

[L] Use Requirement

Not applicable in this jurisdiction.

[M] Marking

Not applicable in this jurisdiction.

[N] Licenses

Not applicable in this jurisdiction.

[O] Pledge and Seizure

Not applicable in this jurisdiction.

[P] Infringement

Not applicable in this jurisdiction. However, see under ‘Conventions and Legislation’.

[Q] Restoration

Not applicable in this jurisdiction.

[R] Specific Aspects of Regional Patents

Not applicable in this jurisdiction.

[S] Specific Aspects of International Patent Applications (PCT)

Not applicable in this jurisdiction.

[T] Fees

Not applicable in this jurisdiction.

[U] Transitional Provisions

Not applicable in this jurisdiction.

[V] Specific Patent Issues

Not applicable in this jurisdiction.

[W] Governmental Websites

– www.vaticanstate.va

PART 2 TRADEMARKS

§2.01 SUMMARY

[A] Duration of Registration

- Not applicable in this jurisdiction.

[B] Registrable / Not Registrable

- Not applicable in this jurisdiction. No provision is made for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian national trademarks or of international trademark registrations under the Madrid Agreement or Protocol designating Italy or of European Union (EU) trademarks, which do not per se enjoy any protection in the Vatican City. However, should an infringement case arise locally, Italian trademark rights, including international trademark registrations under the Madrid Agreement or Protocol designating Italy, as well as probably EU trademark rights, might be regarded as enforceable.

[C] Procedure

- Not applicable in this jurisdiction.

[D] Governmental Websites

- www.vaticanstate.va

§2.02 DETAILED INFORMATION**[A] Conventions and Legislation***[1] Conventions*

- Paris Convention (International Union), accession 21 July 1960, entry into force 29 September 1960; Stockholm Act signed 14 July 1967, ratified 20 January 1975, entry into force 24 April 1975;
- Convention Establishing the World Intellectual Property Organization (WIPO Convention), 1967; and
- Amendment to Article 9(3) of the WIPO Convention, 1999 (not yet in force).

[2] Laws

- Law No. LXXI of 1 October 2008 (Law on the Sources of Law).

Law No. LXXI of 1 October 2008, which repealed the previous Law No. II of 7 June 1929, does not expressly deal with intellectual and industrial property, having the sole purpose of listing the sources of law of the Vatican legal system. Under the law of 1 October 2008, the Italian laws on industrial property, including the relevant regulations and the treaties ratified by Italy, which were in force on 1 January 2009, that is at the date of entry into force of Law No. LXXI of 1 October 2008, are applicable in the State of the Vatican City, provided their provisions are not contrary to the precepts of divine law or the general principles of Canonical law.

Although the current Italian Intellectual Property (IP) law (except its amendments entered after 1 January 2009) is applicable in the State of the Vatican City, the State has, however, no IP register and no provision for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian IP rights, which do not per se enjoy any protection in the Vatican City. Nevertheless and despite there being no specific case law to date, it is deemed that, should an infringement case arise locally, the Vatican Tribunals might regard Italian trademark rights, including international trademark registrations under the Madrid Agreement or Protocol designating Italy, as well as probably EU trademark rights as enforceable, provided the applicable provisions of the Italian laws and/or conventions or regulations are not considered as contrary to the precepts of divine law or the general principles of Canonical law.

[B] Duration of Registration

Not applicable in this jurisdiction.

[C] Requirements for Renewal

Not applicable in this jurisdiction.

[D] Registrable / Not Registrable

Not applicable in this jurisdiction. No provision is made for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian national trademarks or of international trademark registrations under the Madrid Agreement

or Protocol designating Italy or of EU trademarks, which do not per se enjoy any protection in the Vatican City.

[E] Applicant

Not applicable in this jurisdiction.

[F] Assignment

Not applicable in this jurisdiction.

[G] Requirements for Filing

Not applicable in this jurisdiction.

[H] Procedure

Not applicable in this jurisdiction.

[I] Nullity and Lapse

Not applicable in this jurisdiction.

[J] Use Requirement

Not applicable in this jurisdiction.

[K] Marking

Not applicable in this jurisdiction.

[L] Licenses and Registered Users

Not applicable in this jurisdiction.

[M] Pledge and Seizure

Not applicable in this jurisdiction.

[N] Infringement

Not applicable in this jurisdiction. However, see under ‘Conventions and Legislation’.

[O] Well-known and Reputed Marks

Not applicable in this jurisdiction.

[P] Trademarks and Trade Names

Not applicable in this jurisdiction.

[Q] Trademarks and Domain Names

Not applicable in this jurisdiction.

[R] Trademarks and Appellations of Origin / Trademarks and Geographical Indications

Not applicable in this jurisdiction.

[S] Restoration

Not applicable in this jurisdiction.

[T] Specific Aspects of Regional Trademark Registration

Not applicable in this jurisdiction.

[U] Specific Aspects of International Trademark Registration

Not applicable in this jurisdiction.

[V] Fees

Not applicable in this jurisdiction.

[W] Transitional Provisions

Not applicable in this jurisdiction.

[X] Specific Trademark Issues

Not applicable in this jurisdiction.

[Y] Governmental Websites

– www.vaticanstate.va

PART 3 UTILITY MODELS

§3.01 SUMMARY

[A] Duration of Registration

- Not applicable in this jurisdiction.

[B] Registrable / Not Registrable

- Not applicable in this jurisdiction. No provision is made for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian national utility models, which do not per se enjoy any protection in the Vatican City. However, should an infringement case arise locally, Italian utility model rights might be regarded as enforceable.

[C] Novelty

- Not applicable in this jurisdiction.

[D] Requirements and Procedure

- Not applicable in this jurisdiction.

[E] Governmental Websites

- www.vaticanstate.va

§3.02 DETAILED INFORMATION

[A] Conventions and Legislation

[1] Conventions

- Paris Convention (International Union), accession 21 July 1960, entry into force 29 September 1960; Stockholm Act signed 14 July 1967, ratified 20 January 1975, entry into force 24 April 1975;
- Convention Establishing the World Intellectual Property Organization (WIPO Convention), 1967;
- Patent Cooperation Treaty (PCT), 1970 (not yet ratified);
- Strasbourg Agreement concerning the International Patent Classification, 1971 (IPC Union) (not yet ratified); and
- Amendment to Article 9(3) of the WIPO Convention, 1999 (not yet in force).

[2] Laws

- Law No. LXXI of 1 October 2008 (Law on the Sources of Law).

Law No. LXXI of 1 October 2008, which repealed the previous Law No. II of 7 June 1929, does not expressly deal with intellectual and industrial property, having the sole purpose of listing the sources of law of the Vatican legal system. Under the law of 1 October 2008, the Italian laws on industrial property, including the relevant regulations and the treaties ratified by Italy, which were in force on 1 January 2009, that is at the date of entry into force of Law No. LXXI of 1 October 2008, are applicable in the State of the Vatican City, provided their provisions are not contrary to the precepts of divine law or the general principles of Canonical law.

Although the current Italian Intellectual Property (IP) law (except its amendments entered after 1 January 2009) is applicable in the State of the Vatican City, the State has, however, no IP register and no provision for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian IP rights, which do not per se enjoy any protection in the Vatican City. Nevertheless and despite there being no specific case law to date, it is deemed that, should an infringement case arise locally, the Vatican Tribunals might regard Italian utility model rights as enforceable, provided the applicable provisions of the Italian laws and/or conventions or regulations are not considered as contrary to the precepts of divine law or the general principles of Canonical law.

[B] Duration of Registration

Not applicable in this jurisdiction.

[C] Requirements for Renewal

Not applicable in this jurisdiction.

[D] Registrable / Not Registrable

Not applicable in this jurisdiction. No provision is made for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian national utility models, which do not per se enjoy any protection in the Vatican City.

[E] Novelty

Not applicable in this jurisdiction.

[F] Applicant

Not applicable in this jurisdiction.

[G] Assignment

Not applicable in this jurisdiction.

[H] Requirements for Filing

Not applicable in this jurisdiction.

[I] Procedure

Not applicable in this jurisdiction.

[J] Nullity and Lapse

Not applicable in this jurisdiction.

[K] Use Requirement

Not applicable in this jurisdiction.

[L] Marking

Not applicable in this jurisdiction.

[M] Licenses

Not applicable in this jurisdiction.

[N] Pledge and Seizure

Not applicable in this jurisdiction.

[O] Infringement

Not applicable in this jurisdiction. However, see under ‘Conventions and Legislation’.

[P] Restoration

Not applicable in this jurisdiction.

[Q] Utility Model Application Based on International Patent Application (PCT)

Not applicable in this jurisdiction.

[R] Fees

Not applicable in this jurisdiction.

[S] Transitional Provisions

Not applicable in this jurisdiction.

[T] Specific Utility Model Issues

Not applicable in this jurisdiction.

[U] Governmental Websites

– www.vaticanstate.va

PART 4 INDUSTRIAL DESIGNS AND MODELS

§4.01 SUMMARY

[A] Duration of Registration

- Not applicable in this jurisdiction.

[B] Registrable / Not Registrable

- Not applicable in this jurisdiction. No provision is made for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian national industrial designs and models or of international design registrations under the Hague Agreement designating Italy or of European Union (EU) designs, which do not per se enjoy any protection in the Vatican City. However, should an infringement case arise locally, Italian industrial design and model rights, including international design registrations under the Hague Agreement designating Italy, as well as probably EU design rights might be regarded as enforceable.

[C] Novelty

- Not applicable in this jurisdiction.

[D] Procedure

- Not applicable in this jurisdiction.

[E] Governmental Websites

- www.vaticanstate.va

§4.02 DETAILED INFORMATION

[A] Conventions and Legislation

[1] Conventions

- Paris Convention (International Union), accession 21 July 1960, entry into force 29 September 1960; Stockholm Act signed 14 July 1967, ratified 20 January 1975, entry into force 24 April 1975;
- Hague Agreement Concerning the International Deposit of Industrial Designs (Hague Union), 1925–1934. The Vatican City (Holy See) ratified the London Act (1934) of the Hague Agreement, but did not ratify, although it signed them, the Hague Act of 1960 and the Complementary Act of Stockholm of 1967. However, following its denunciation on 4 August 2006, the London Act ceased to be effective in respect of the Holy See as of 4 August 2007;
- Locarno Agreement Establishing an International Classification for Industrial Designs (Locarno Union) 1968 (not yet ratified);
- Convention Establishing the World Intellectual Property Organization (WIPO Convention), 1967;
- Amendment to Article 9(3) of the WIPO Convention, 1999 (not yet in force); and
- Berne Convention for the Protection of Literary and Artistic Works of 1886, as revised at Paris in 1971, effective since 12 September 1935.

[2] Laws

- Law No. LXXI of 1 October 2008 (Law on the Sources of Law).

Law No. LXXI of 1 October 2008, which repealed the previous Law No. II of 7 June 1929, does not expressly deal with intellectual and industrial property, having the sole purpose of listing the sources of law of the Vatican legal system. Under the law of 1 October 2008, the Italian laws on industrial property, including the relevant regulations and the treaties ratified by Italy, which were in force on 1 January 2009, that is at the date of entry into force of Law No. LXXI of 1 October 2008, are applicable in the State of the Vatican City provided their provisions are not contrary to the precepts of divine law or the general principles of Canonical law.

Although the current Italian Intellectual Property (IP) law (except its amendments entered after 1 January 2009) is applicable in the State of the Vatican City, the State has, however, no IP register and no provision for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian IP rights, which do not per se enjoy any protection in the Vatican City. Nevertheless and despite there being no specific case law to date, it is deemed that, should an infringement case arise locally, the Vatican Tribunals might regard Italian industrial design and model rights, including international design registrations under the Hague Agreement designating Italy, as well as probably EU design rights as enforceable, provided the applicable provisions of the Italian laws and/or conventions or regulations are not considered as contrary to the precepts of divine law or the general principles of Canonical law.

[B] Duration of Registration

Not applicable in this jurisdiction.

[C] Requirements for Renewal

Not applicable in this jurisdiction.

[D] Registrable / Not Registrable

Not applicable in this jurisdiction. No provision is made for the protection of industrial property rights, not even through the extension to the Vatican City, or the local registration of Italian national industrial designs and models or of international design registrations under the Hague Agreement designating Italy or of EU designs, which do not per se enjoy any protection in the Vatican City.

[E] Novelty

Not applicable in this jurisdiction.

[F] Applicant

Not applicable in this jurisdiction.

[G] Assignment

Not applicable in this jurisdiction.

[H] Requirements for Filing

Not applicable in this jurisdiction.

[I] Procedure

Not applicable in this jurisdiction.

[J] Nullity and Lapse

Not applicable in this jurisdiction.

[K] Use Requirement

Not applicable in this jurisdiction.

[L] Marking

Not applicable in this jurisdiction.

[M] Licenses

Not applicable in this jurisdiction.

[N] Pledge and Seizure

Not applicable in this jurisdiction.

[O] Infringement

Not applicable in this jurisdiction. However, see under ‘Conventions and Legislation’.

[P] Restoration

Not applicable in this jurisdiction.

[Q] Specific Aspects of Regional Design Registration

Not applicable in this jurisdiction.

[R] Specific Aspects of International Design Registration

Not applicable in this jurisdiction.

[S] Design and Copyright Protection

Not applicable in this jurisdiction.

[T] Fees

Not applicable in this jurisdiction.

[U] Transitional Provisions

Not applicable in this jurisdiction.

[V] Specific Industrial Design and Model Issues

Not applicable in this jurisdiction.

[W] Governmental Websites

– www.vaticanstate.va

