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22 18

Generalkonsulat
Hongkong

Ihr Zeichen
Votre signe
Vostra sigla
Voss segn

Hong. 865.4 - cos

Unser Zeichen
Notre signe
Nostra sigla
Noss segn

Swiss made

Da die Kommissionsvertreter in Brüssel offenbar bis heute ihre Haltung zu einer allfälligen Intervention in Hongkong nicht klar einnehmen können, und andererseits die Zeit drängt, haben wir im Einvernehmen mit dem BAGE und dem I/B beschlossen, das beiliegende Memorandum an Hongkong's Behörden zu richten. Wir informieren gleichzeitig die EG-Kommission und das MITI in Tokio über unsere Aktion und hoffen, dass sie in der Folge einen gleichen Schritt unternehmen werden. Wir bitten Sie daher, beiliegenden Text den zuständigen Behörden zu übergeben.

Mit freundlichen Grüssen

Dienst für pazifische Industrieländer

E. Contestabile

Beilage: erwähnt

Kopie an: Schweiz. Mission Brüssel, mit der Bitte, um entsprechende Ausführung
Schweiz. Botschaft Tokio, mit der Bitte, um entsprechende Ausführung

Memorandum

1. Switzerland is very much concerned about the new legislation regarding the indication of origin for watches which Hongkong intends to put into effect in the near future. We are particularly concerned because the motivation for the new legislation is not to improve the rules for "Hongkong made" watches in the first place but to facilitate and increase the production in Hongkong of "Swiss made" watches or watches of other origins. Switzerland adopted its "Swiss made" legislation in order to regulate the criteria for the indication of Swiss origin for domestically produced watches and not to promote the production of "Hongkong made" or "Japan made" watches in Switzerland!

If Hongkong's new legislation is used for the manufacture of "Swiss made" watches in Hongkong, consumers can be misled in their expectation that the entire watch is made in Switzerland and not only its movement. Furthermore, the bigger number of "Swiss made" watches produced thereafter by other than Swiss companies incorporates the risk of not attaining the level of quality of genuine Swiss watches, thus affecting the renommée and prestige of this traditional product of Switzerland. Hongkong must also be aware that unfair competition practices are prohibited by the provisions of the Paris Convention (Article 10).

2. We are also concerned because at present efforts are undertaken in GATT to find a multilateral solution for a better protection of intellectual property rights (TRIPs) - including indications of origin - and Hongkong has also manifested a strong interest in this field. The links between intellectual property rights and the trade rules as embodied in GATT are undeniable and it would be most unfortunate if Hongkong was going to implement new legislation at this moment in time and would thus affect Switzerland's as well as other watch producing countries' trade.
3. Switzerland therefore urges Hongkong's authorities to reconsider the implementation of the new rules regarding the indication of origin for watches.