



**Economic and Social
Council**

Distr.
GENERAL

TRANS/WP.1/1999/25
15 July 1999

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Road Traffic Safety

(Thirty-third session, 28 September - 1 October 1999,
agenda item 11 (b))

FUTURE WORK

Copyright of signs and signals

Transmitted by the Government of Denmark

Disability Pictogram Design

1. At the Working Party's thirty-first session (TRANS/WP.1/1999/62, para.58) it was decided that the Danish Road Directorate should prepare a note about the copyright of pictograms used in traffic signs.

Background

2. In April 1998, Rehabilitation International informed the Danish Ministry of Transport that the design of the sign E,23 "Guidelines for Disability" differs from the international standard designed by Sussanne Koefoed of Denmark in 1969.

3. Sussanne Koefoed gave Rehabilitation International the rights to administer the use of the pictogram and to ensure that the design is protected against individual deviances. Representatives of Rehabilitation International in member countries (national secretaries) were asked to protest in the case of individual deviances.

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3. Denmark would like to open the discussion about pictograms included in the Vienna Convention on Road Signs and Signals which have been modified and used in national regulations. The Vienna Convention does allow modifications as long as the important characteristics are not distorted.

The 1968 Vienna Convention on Road Signs and Signals

4. Concerning the use of pictograms in general the Vienna Convention on Road Sign and Signals states in Article 8, paragraph 1: "...Where the Contracting Parties consider it necessary to modify the pictograms prescribed, the modifications made shall not alter their essential characteristics."

5. In Section H, Additional Panels H,7, it is indicated that parking space reserved for handicapped persons can be marked with signs C,18 or E,14.



Figure. H,7

[FIGURE OFF-SET]

Figure. Danish disabled sign

6. The pictogram belongs to the Danish information sign group using blue background and white pictograms (E,23). The pictogram may also be marked on the road surface indicating a parking space reserved for disabled people.

Background of the Danish Design

7. Denmark has designed all the pictograms used for road signs and markings in the same type of design. The group contains both pictograms used in road traffic and informative signs for public transportation.

8. The original design of the pictogram for disabled people was meant to be used only at local entrances (e.g. properties etc.). The new pictogram has, apart from following the design concept, been improved to be used in road traffic. For instance, it should be readable when driving under headlamp conditions. This is very important for road users. The new design system was published on 24 June

1992 and from then on all new pictograms for road traffic have been designed according to the pictogram design concept.

Danish National Copyright Regulations

9. Sussanne Koefoed designed the pictogram for disabled people to be used only at local entrances. Since she designed the original pictogram, her design is obviously protected by the National Copyright Regulation. Since she redesigned an already existing sign from before 1969, her design is still protected by the National Copyright Regulation. However, this gives others the opportunity to redesign the original sign for other purposes such as pictograms used for road markings.

10. If it is not possible to document that the pictogram is dated before 1969 and that the copyright regulations therefore are incomplete it may not only be an issue for Denmark but for all countries which have ratified the Berne Convention for the Protection of Literary and Artistic Works.

Recommendation

11. The Danish Road Directorate therefore recommends that WP.1 tries to clarify the following questions:

- (a) Did any country introduce the Disability Pictogram before 1969?
- (b) Has any country received enquiries from Rehabilitation International, and if so how was the matter resolved?
- (c) Does any country know of any other pictograms or symbols used for traffic signs or road markings that are protected by copyright?

12. As modifications may need to be made to improve the visibility and readability of road signs, Denmark requests a general discussion about the possible copyright of pictograms or symbols included in the Vienna Convention.
