

TRADEMARKS

Convention signed at Vienna November 25, 1871
Senate advice and consent to ratification January 18, 1872
Ratified by the President of the United States January 27, 1872
Ratified by Austria-Hungary March 9, 1872
Ratifications exchanged at Vienna April 22, 1872
Proclaimed by the President of the United States June 1, 1872
Entered into force July 21, 1872
*Not revived after World War I*¹

17 Stat. 917; Treaty Series 13

The United States of America and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, desiring to secure in their respective territories a guarantee of property in trade-marks, have resolved to conclude a special convention for this purpose, and have named as their Plenipotentiaries:

The President of the United States of America, John Jay, their Envoy Extraordinary and Minister Plenipotentiary from the United States of America to His Imperial and Royal Apostolic Majesty; and His Majesty the Emperor of Austria and Apostolic King of Hungary, the Count Julius Andrassy of Csik Szent Király and Kraszna Horka, His Majesty's Privy Counselor and Minister of the Imperial House and of Foreign Affairs, Grand Cross of the Order of St. Stephen, &c., &c., &c., who have agreed to sign the following articles:

ARTICLE I

Every reproduction of trade-marks which, in the countries or territories of the one of the contracting parties, are affixed to certain merchandise to prove its origin and quality, is forbidden in the countries or territories of the other of the contracting parties, and shall give to the injured party ground for such action or proceedings to prevent such reproduction, and to recover damages for the same, as may be authorized by the laws of the country in which the counterfeit is proven, just as if the plaintiff were a citizen of that country.

¹ See art. 241 of Treaty of St. Germain-en-Laye signed Sept. 10, 1919 (*ante*, p. 277), and art. 224 of Treaty of Trianon signed June 4, 1920 (*post*, HUNGARY), the benefits of which were secured to the United States by the treaties establishing friendly relations dated Aug. 24, 1921 (TS 659, *ante*, p. 215), and Aug. 29, 1921 (TS 660, *post*, HUNGARY).