

PROTECTION OF TRADEMARKS IN CHINA

Exchange of notes at Peking October 23, 1905; related note dated January 22, 1906

Entered into force October 23, 1905

Made obsolete by United States relinquishment of extraterritorial rights in China, in accordance with terms of treaty of January 11, 1943¹

Treaty Series 479

The American Minister at Peking to the Netherlands Minister at Peking

OCTOBER 23, 1905

MR. MINISTER AND DEAR COLLEAGUE: The Government of the United States being desirous of reaching an understanding with the Government of the Netherlands for the reciprocal protection against infringement in China by citizens of our respective nations of trade marks duly registered in the United States and the Netherlands, I am authorized by the Secretary of State of the United States to inform you that effectual provision exists in American Consular Courts in China for the trial and punishment² of all persons subject to the jurisdiction of the United States who may be charged with and found guilty of infringing in any way trade marks of persons subject to the jurisdiction of the Netherlands which have been duly registered in the United States.

I beg that you will kindly inform me whether American citizens are entitled to the same legal remedies in the Consular Courts of the Netherlands in China as regards the protection from infringement of their trade marks duly registered in the Netherlands.

I have the honor to be, My dear Colleague, Your obedient servant,

W. W. ROCKHILL

His Excellency, Monsieur VAN CITTERS,
etc., etc., etc.

The Netherlands Minister at Peking to the American Minister at Peking

[TRANSLATION]

PEKING, CHINA, October 23, 1905

MR. MINISTER AND DEAR COLLEAGUE: Under date of the 23d of October, 1905, Your Excellency was pleased to inform me by your note numbered

¹ TS 984, *ante*, vol. 6, p. 739, CHINA.

² For an explanation regarding the use of the word "punishment," see related note, p. 57.