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EXCHANGE OF NOTES

BETWEEN THE

UNITED KINGDOM AND GERMANY.

MUTUAL PROTECTION OF BRITISH
AND GERMAN TRADE-MARKS
IN COREA.

August 31-October 8, 1909.

*Presented to both Houses of Parliament by Command of His Majesty.
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EXCHANGE OF NOTES BETWEEN THE UNITED
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TECTION OF BRITISH AND GERMAN TRADE-
MARKS IN COREA.

August 31–October 8, 1909.

(1.)

*The German Ambassador to Sir Edward Grey.—(Received
September 2.)*

Euer Exzellenz,

London, 31. August, 1909.

MIR Bezug auf die voraufgegangenen Erörterungen wegen gegenseitigen Markenschutzes in Korea beehre ich mich in Auftrage der Kaiserlichen Regierung Euerer Exzellenz ganz ergebenst mitzuteilen, dass es britischen Staatsangehörigen und britischen Schutzgenossen offensteht, gegen die der deutschen Konsulargerichtsbarkeit unterstehenden Personen, welche ein in Deutschland zu Gunsten von britischen Staatsangehörigen und britischen Schutzgenossen ordnungsmässig eingetragenes Waarenzeichen unbefugt verwerten, vor den deutschen Richter-Konsuln in Korea Klage zu erheben und Anträge zu stellen. Die Kaiserlichen Konsuln in Korea werden entsprechend dem Vorstehenden mit Instruktion versehen werden, sobald die Königlich Grossbritannische Regierung die Erklärung abgegeben haben wird, dass Reichsangehörige und deutsche Schutzgenossen berechtigt sind, wegen missbräuchlicher Benutzung ihrer in Grossbritannien ordnungsmässig eingetragenen Waarenzeichen gegen die der britischen Konsulargerichtsbarkeit unterstehenden Personen bei dem zuständigen britischen Konsulargericht in Korea vorzugehen.

Mit der ausgezeichnetsten Hochachtung, &c.

P. METTERNICH.

(Translation.)

Count Metternich to Sir Edward Grey.—(Received September 2.)

Your Excellency,

German Embassy, August 31, 1909.

WITH reference to the discussions which have taken place respecting reciprocal protection of trade-marks in Corea, I have been instructed by the Imperial Government to inform your Excellency that it is open to British subjects and British-protected persons to lay complaints and bring actions before the German consular judges in Corea against persons subject to German consular jurisdiction who have, without authority, made use of trade-marks duly registered in Germany in favour of British subjects and British-

protected persons. The necessary instructions will be issued to the Imperial consuls in Corea in accordance with the above as soon as His Britannic Majesty's Government have declared that German subjects and German-protected persons are entitled to take proceedings before the competent British consular court in Corea against persons subject to British consular jurisdiction for illegal use of trade-marks duly registered by such German subjects and German-protected persons in Great Britain.

I have, &c.

P. METTERNICH.

(2.)

Sir Edward Grey to the German Ambassador.

Your Excellency.

Foreign Office, October 8, 1909.

I HAVE the honour to acknowledge receipt of your Excellency's note of the 31st August, in which you state, under instructions from the Imperial German Government, that it is open to British subjects and British-protected persons to lay complaints and bring actions before the German consular judges in Corea against persons subject to German consular jurisdiction who have, without authority, made use of trade-marks duly registered in Germany in favour of British subjects or British-protected persons, and that the necessary instructions will be issued to the Imperial consuls in Corea, in accordance with the above, as soon as His Majesty's Government have made a similar declaration *mutatis mutandis*.

I have the honour to inform your Excellency in reply that it is open to German subjects and German-protected persons to take proceedings before the competent British consular court in Corea against persons subject to British consular jurisdiction for the illegal use of trade-marks duly registered by such German subjects and German-protected persons in Great Britain. His Majesty's consuls in Corea will be furnished with instructions accordingly.

I have, &c.

E. GREY.
