

## TRADEMARKS

*Article signed at Washington January 27, 1868, additional to treaty of December 18, 1832*

*Senate advice and consent to ratification July 25, 1868*

*Ratified by the President of the United States August 14, 1868*

*Ratifications exchanged at St. Petersburg September 21, 1868*

*Entered into force September 21, 1868*

*Proclaimed by the President of the United States October 15, 1868*

*Supplemented by declaration of March 28, 1874<sup>1</sup>*

*Terminated January 1, 1913<sup>2</sup>*

16 Stat. 725; Treaty Series 302

The United States of America and his Majesty the Emperor of all the Russias, deeming it advisable that there should be an additional Article to the Treaty of Commerce between them, of the  $\frac{6}{18}$  December 1832,<sup>3</sup> have for this purpose named as their Plenipotentiaries, the President of the United States, William H. Seward, Secretary of State, and His Majesty the Emperor of all the Russias, the Privy Councillor, Edward de Stoeckl, accredited as His Envoy Extraordinary and Minister Plenipotentiary to the United States; and the said Plenipotentiaries, after an examination of their respective full powers, which were found to be in good and due form, have agreed to and signed the following:

### ADDITIONAL ARTICLE

The High Contracting Parties, desiring to secure complete and efficient protection to the manufacturing industry of their respective citizens and subjects, agree that any counterfeiting in one of the two countries of the trade marks affixed in the other on merchandize to show its origin and quality, shall be strictly prohibited and repressed, and shall give ground for an action of damages in favor of the injured party, to be prosecuted in the courts of the country in which the counterfeit shall be proven.

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<sup>1</sup> TS 303, *post*, p. 1222.

<sup>2</sup> Pursuant to notice of termination given by the United States Dec. 17, 1911.

<sup>3</sup> TS 299, *ante*, p. 1208.

The trade marks in which the citizens or subjects of one of the two countries may wish to secure the right of property in the other, must be lodged exclusively, to wit, the marks of citizens of the United States, in the Department of Manufactures and Inland Commerce, at St. Petersburg, and the marks of Russian subjects, at the Patent Office in Washington.

This additional Article shall be terminable by either party, pursuant to the twelfth Article of the Treaty to which it is an addition. It shall be ratified by the President, by and with the advice and consent of the Senate of the United States, and by His Majesty, the Emperor of all of the Russias; and the respective ratifications of the same shall be exchanged at St. Petersburg; within nine months from the date hereof, or sooner if possible.

In faith whereof, the respective Plenipotentiaries have signed the present additional Article in duplicate and affixed thereto the seal of their arms.

Done at Washington, the twenty seventh day of January, in the year of Grace, one thousand eight hundred and sixty-eight.

WILLIAM H. SEWARD	[SEAL]
EDOUARD DE STOECKL	[SEAL]