

## PROTECTION OF TRADEMARKS IN CHINA

*Exchange of notes at Peking June 28, 1906*

*Entered into force June 28, 1906*

*Obsolete*<sup>1</sup>

Treaty Series 484

### *The American Minister to the Russian Minister*

PEKING, *June 28, 1906*

MR. MINISTER AND DEAR COLLEAGUE: The Government of the United States being desirous of reaching an understanding with the Government of Russia for the reciprocal protection against infringement in China by citizens and subjects of our respective nations of trade-marks duly registered in the United States and Russia, I am authorized by the Secretary of State of the United States to inform you that the American consular courts in China afford protection against infringement in China by American citizens of trade-marks the property of Russian subjects which have been duly registered in the United States.

I beg that you will kindly inform me whether like protection will be given to American citizens in the consular courts of Russia in China against the infringement by Russian subjects of their trade-marks duly registered in Russia.

I have the honor to be, my dear colleague, your obedient servant,

W. W. ROCKHILL

HIS EXCELLENCY D. POKOTILOV  
*Envoy Extraordinary and  
Minister Plenipotentiary, etc.  
Russian Legation, Peking*

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### *The Russian Minister to the American Minister*

[TRANSLATION]

PEKING, *June 28, 1906*

MR. MINISTER AND DEAR COLLEAGUE: I have the honor to acknowledge the receipt of your note of to-day's date by which you kindly inform me

<sup>1</sup>The United States relinquished extraterritorial rights in China by treaty of Jan. 11, 1943 (TS 984, *ante*, vol. 6, p. 739, CHINA).

that the Government of the United States being desirous of reaching an understanding with the Imperial Government of Russia concerning the protection in China of trade-marks duly registered in Russia and the United States, you have been authorized to declare that the American consular courts in China have jurisdiction in all matters concerning the infringement by persons subject to the jurisdiction of the United States of trade-marks the property of Russian subjects which have been duly registered in the United States.

Being duly authorized by my Government, I have the honor to inform you that the Imperial Government is equally ready to insure in China through the Russian consular courts protection for trade-marks the property of persons subject to the jurisdiction of the United States and duly registered in Russia which may be infringed by Russian subjects. I deem it necessary, however, to observe that infringements of trade-marks not being considered by the American statutes a criminal offense persons subject to the jurisdiction of the United States having suffered injury can, through reasons of reciprocity, only claim before the Russian courts indemnification for the damages sustained by them.

Please accept, Mr. Minister and dear Colleague, the assurance of my highest consideration.

D. POKOTILOV

HIS EXCELLENCY W. W. ROCKHILL  
*Envoy Extraordinary and  
Minister Plenipotentiary, etc.  
American Legation, Peking*