

## PROTECTION OF TRADEMARKS IN MOROCCO

*Exchanges of notes at Tangier October 9, 1895, and December 1, 4, and 6, 1899*

*Entered into force December 6, 1899*

*Became obsolete October 6, 1956, when the United States relinquished extraterritorial jurisdiction in Morocco*<sup>1</sup>

I Malloy 778; Treaty Series 472

*The British Minister at Tangier to the American Consul General*

TANGIER, October 9, 1895

Dr. J. J. BARCLAY,  
U.S. Consul-General,  
Tangier.

SIR :

The question of trade marks protection has, as you are aware, formed the subject of some correspondence between Her Majesty's Legation and yourself, and as the matter has again been referred to in a recent despatch, I have received from my Government, I should feel much obliged if you would kindly inform me whether you would be disposed to enter into a similar reciprocal arrangement as that concluded between the French and this Legation. I beg leave to transmit a copy of that arrangement; and trusting that you will see your way to coming to some mutual understanding, I have the honor to be, Sir,

Your obedient, humble servant,

A. NICOLSON

[ENCLOSURE]

*The French Minister at Tangier to the British Minister*

[TRANSLATION]

TANGIER, 4th June, 1894.

MR. MINISTER AND DEAR COLLEAGUE,

By a letter of April 3, last, you have had the kindness to inform the Chargé d'Affaires of France that the French Consular authority in Morocco, has the right to prosecute through the British Consular authority everybody counterfeiting the French trade-marks, in receiving them on the following terms.

<sup>1</sup> *Department of State Bulletin*, Nov. 26, 1956, p. 844.

1st. That the registration of the French mark should have been effected in England, accordingly to the "merchandise marks act 1887"; 2nd. that protection on the same terms would be assured in Morocco by the French authority, to the English manufacturers. As Mr. Souhart has informed you though he was (persuaded) satisfied that the French Government was ready to grant the reciprocity in question, he thought it was his duty to refer to the Minister of Foreign Affairs. According to the reply that reached me, I am officially authorized to promise you reciprocity of treatment, and to lend on the same terms, my aid to the reclamations that the English manufacturers may have to address to the French Consular authority to obtain protection for their trade marks against French subjects.

I am Sir,

d'AUBIGNY

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*The American Consul General at Tangier to the British Minister*

TANGIER, December 1st 1899

To His Excellency

SIR A. NICOLSON,

*H. B. M's. Minister, etc. etc.*

*Tangier.*

SIR:

I have the honor to inform Y. E. that I am in receipt of Instructions from my Government, authorizing me to enter into a reciprocal agreement with Y. E. for the mutual protection of Trade-Marks registered in Great Britain and the United States against infringement in Morocco by subjects of the respective nations on the lines of that existing between the British and French Legation at Tangier. I enclose for Y. E's. further information a copy of said Instructions.<sup>2</sup>

I have the honor to be, Sir

Your obedient servant,

S. R. GUMMERÉ

*United States Consul-General*

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*The British Minister at Tangier to the American Consul General*

BRITISH LEGATION, TANGIER,

*4th December 1899*

SIR:

I have the honour to acknowledge the receipt of your letter of the 1st instant informing me that you have been authorized by your Government to enter into a reciprocal agreement with me for the mutual protection of

<sup>2</sup> Not printed here.

Trade-Marks registered in Great Britain and in the United States against infringement in Morocco by the subjects of the respective nations.

I beg to thank you for this communication and to assure you that it affords me much satisfaction to enter into this reciprocal agreement, and that henceforth protection will be afforded by the British Consular Courts in Morocco to Trade-Marks of citizens of the United States, which have been duly registered in Great Britain in conformity with the Patents, Designs and Trade-Marks Acts 1883 to 1888.

I have the honour to be,

Sir,

Your obedient servant,

A. NICOLSON

Hon. S. R. GUMMERE,  
*United States, Consul General,  
Tangier.*

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*The American Consul General at Tangier to the British Minister*

CONSULATE-GENERAL OF THE UNITED STATES  
OF AMERICA

TANGIER, *December 6, 1899*

His Excellency,

Sir A. NICOLSON,

*H. B. M's. Minister etc. etc.*

*Tangier.*

SIR:

I have the honor to acknowledge receipt of Your Excellency's letter of the 4th inst. and to thank you for the agreement, that henceforth protection will be afforded by the British Consular Courts in Morocco to Trade Marks of citizens of the United States, which have been duly registered in Great Britain in conformity with the Patents, Designs and Trade Marks Acts 1883 to 1888.

In reply, it gives me great pleasure to agree, on behalf of the Government of the United States, that henceforth Trade Marks of British citizens, having been duly registered in the United States of America, will be protected against infringement by such persons as come under the jurisdiction of the United States Consular Courts of Morocco.

I am, Sir, your obedient servant

S. R. GUMMÉRÉ  
*United States Consul General*