

普皇太子御名号
田原藩方照会
件
外務省

一頁

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and it would be agreeable to His Majesty's Government if such arrangements could be made with the Patent Bureau as would prevent their granting registration to any applicant for a trade mark containing a representation of the British Royal Arms unless such applicant were able to prove that he was empowered to use them.

I have accordingly the honour to approach Your Excellency on the subject in the hope that Your Excellency will see no objection to endeavouring to make arrangements of this nature.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

Charles M. G. M. M. M.

British Ambassador.

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British Embassy,

January 20, 1909

Monsieur le Ministre,

The attention of His Majesty's Government having been called to the fact that certain business firms in Japan make use without authorization of the British Royal Arms in connection with their Trade-Marks, I am directed by His Majesty's Principal Secretary of State for Foreign Affairs to bring the matter to Your Excellency's notice.

According to the British Trade-Mark Regulations it is laid down that "if the armorial bearings of any foreign state appear upon a trade mark, the Registrar may require to be satisfied that these representations are used with proper consent and justification."

Were an analogous rule observed by the Patent Bureau in Japan, the improper use of the British Royal Arms for Trade Mark purposes in this country would be obviated, and

His Excellency,
Count Jutaro Komura,
Minister for Foreign Affairs,
etc., etc., etc.,

Handwritten Japanese text in vertical columns, including a date stamp: 明治四十一年二月二十日接覽 (Received on February 20, 1909).

明治四十一年二月二十六日

普通通商局

特第二八號

第三三三九七

本月二十日付の送付六四号の以て英國皇
 室法紋章ヲ濫用スル本邦商標取締方
 之對シ英國大使、照會狀ヲ添へ、照會
 ノ趣了致被致本邦現行商標法ニ於テハ
 英國商標規則、如キ規定之有之共、其
 種、商標登録出願、登録シテ其事實ヲ
 取調、タル上果シテ此由ノ理由無之モノト被
 認候場合ハ、現行商標法第二條ガ三号
 ニ基キ、右人ヲ欺瞞スルノ虞アルモノトシテ其登録
 ヲ拒絶被致候事又已ニ登録セラレタル商
 標中、斯ル不正ノ事アルモノニ就テハ同
 條ニ依リテ登録ヲ無効トスル事亦被致候
 事ナリ。然レモ、相成被致不レテ目下懸
 案中、新商標法ノ施行ニ見レテ、此
 後揚名ハ日英兩國商標相互的、取締
 ヲ為シ特別ノ規定ヲ設ケル事トハ一層好都合
 上被致可成、趣意ハ仰リ可成、計
 取付可成、此旨、

明治四十一年二月三日

農商務次官押川則



外務省 石井 為 中 外 務 省

農商務省

文書録後

明治四十一年三月三日發

明治四十一年三月廿六日起草
同 年 三月 三日發達

次官

通商局長

主任

明治四十一年三月三日發達

第一四號

立本邦英國大使館

小村大目

英國皇室中故章濫用取締之因元件

以書翰函上小陳古書月廿日才車号

以下本邦皇室中英國皇室之故章

外務省

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其取係方之偽之因之申城之部

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本邦現行商標法

後章之因之特章之規則

商標登記心象

字取訛ノ上果シテ正當ノ理由ナキモノト



商標局

