

FOR IMMEDIATE RELEASE

September 3, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

TO THE SENATE OF THE UNITED STATES:

With a view to receiving the advice and consent of the Senate to its ratification, I transmit herewith the Trademark Registration Treaty, signed at Vienna, Austria, on June 12, 1973, together with the Regulations under the Trademark Registration Treaty. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Trademark Registration Treaty will establish an international trademark filing arrangement, through which persons and companies residing in one of the member States can more easily register trademarks (including service marks, and collective and certification marks) and maintain these property rights in all of the member States.

Separate actions in approximately 150 jurisdictions (i.e. States, possessions, territories, etc.) are now required of United States companies in order to extend the protection of a trademark throughout the world. The complexity and high cost of establishing and protecting trademarks in international markets through the diverse national laws and procedures is a serious problem for international business concerns.

This Treaty would alleviate these problems by establishing a uniform international registration procedure through which national trademark registration effects in the member countries may be secured, maintained and renewed on a central international register of marks. With a few exceptions, the effects of international registration are subject to the substantive legal requirements of the participating States.

One of the exceptions is that for the first three years after the filing date of the application for registration, no member State may refuse trademark protection on grounds that the mark has not been used during that period. Because of this provision, and others of lesser importance, it is necessary, in order to implement the Treaty, that our national trademark law ("Trademark Act of 1946, As Amended") be further amended. Opinion among interested persons and associations is divided as to the desirability of making the required amendments. So that this important legislative question may be considered in connection with the question of ratification, proposed implementing legislation will be forwarded to the Congress in the near future. Since the Treaty is not self-executing, the instrument of ratification will not be deposited until the necessary implementing legislation has been enacted.

It is important that a Treaty such as this one have the broadest possible membership. Since this Treaty was initiated by the United States, the interest of many countries is contingent on positive United States action. I recommend, therefore, that the Senate give early and favorable consideration to the Treaty submitted herewith and give its advice and consent to ratification.

GERALD R. FORD

THE WHITE HOUSE,

September 3, 1975.

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