

No. 2665

**GREECE
and
FEDERAL REPUBLIC OF GERMANY**

Provisional Commercial Agreement (with exchange of letters). Signed at Frankfurt-on-Main, on 12 February 1951

Official texts: Greek and German.

Registered by Greece on 13 September 1954.

**GRÈCE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord commercial provisoire (avec échange de lettres).
Signé à Francfort-sur-le-Main, le 12 février 1951**

Textes officiels grec et allemand.

Enregistré par la Grèce le 13 septembre 1954.

[TRANSLATION — TRADUCTION]

No. 2665. PROVISIONAL COMMERCIAL AGREEMENT¹
BETWEEN THE GOVERNMENT OF THE KINGDOM
OF GREECE AND THE GOVERNMENT OF THE
FEDERAL REPUBLIC OF GERMANY. SIGNED AT
FRANKFURT-ON-MAIN, ON 12 FEBRUARY 1951

The Government of the Federal Republic of Germany and the Government of the Kingdom of Greece, desiring to create the most favourable conditions for commercial transactions between their countries and to remove obstructions and impediments, have agreed as follows :

Article I

Most-favoured-nation treatment shall be extended to German goods in the Kingdom of Greece and to Greek goods in the Federal Republic of Germany.

The Contracting Parties shall accord to each other the most-favoured-nation treatment in respect of import duties, customs duties and related charges, customs formalities and excise taxes, irrespective of the nature thereof of the organization or authority by which they are imposed, this treatment to extend to any similar advantages which are now or may in future be granted to any third country.

Article II

The most-favoured-nation treatment shall not extend to privileges which are now or may in future be granted by one of the Contracting Parties to a third country for any of the following reasons :

- (a) to facilitate minor frontier traffic with neighbouring countries;
- (b) in connexion with the establishment of a customs union or a free zone;
- (c) to give effect to agreements providing for a customs union or free zone;
- (d) by reason of special conventions which relate to customs or economic questions and which are excepted by mutual agreement.

¹ Came into force on 1 November 1953, by the exchange of the instruments of ratification, in accordance with article V.

Article III

The Contracting Parties declare their intention to promote maritime traffic between their countries and for that purpose each Party agrees to accord to the other, in matters relating to maritime shipping, all the rights, advantages, facilities, privileges, exemptions and exceptions which it now accords or may in future accord to the ships of any other country; the said rights, advantages etc. shall be extended simultaneously and unconditionally, without request and without consideration in return, to the ships of the other Party, the object of the Contracting Parties being that the shipping of each party should in every respect be treated on a footing of equality with that of the most-favoured-nation.

The nationals of each Contracting Party shall have the right to call at all places in the territory of the other Party, with their ships and cargoes, on the same conditions as those applied in respect of the nationals of any other country. With respect to tonnage, harbour, pilotage, quarantine and other similar fees or charges howsoever described which are charged or levied on behalf of or for the account of the State or any public authority, contractor or undertaking, the ships of each Contracting Party shall receive, in the ports of the other Party, treatment at least as favourable as that accorded to the ships of any other country.

Coastal traffic shall as a general principle be reserved to national ships.

Article IV

German businessmen, commercial travellers and firms in Greece, and Greek business men, commercial travellers and firms in the Federal Republic of Germany, shall receive most-favoured-nation treatment.

The Greek Government declares its willingness to extend every facility to German commercial travellers in the granting of entrance visas.

Article V

If any part or parts of this Agreement should conflict with provisions issued by, or in pursuance of resolutions of the OEEC or similar international or intra-European organizations, the part or parts in question shall cease to have effect while fresh terms have been negotiated. In any such event the joint committee (provided for in article IX of the Trade Agreement) shall be convened immediately to negotiate a redraft of the parts which have become inoperative.

This Provisional Commercial Agreement shall enter into force on ratification by the competent authorities of the Federal Republic of Germany and the

Kingdom of Greece. It shall continue in force until 30 June 1951 and by tacit agreement for further periods of one year thereafter unless denounced by three months' notice given by one of the Parties.

DONE at Hoechst, Frankfurt-on-Main, 12 February 1951 in four original copies, two in German and two in Greek, both texts being equally authentic.

For the Government of the Federal
Republic of Germany :
(*Initialled*) Rei., 15 November
Dr. Hermann REINHARDT

For the Royal Greek Government :

(*Initialled*) Tri., 15 November
Athanasios TRIANTAPHYLLIS

For the Government of the Federal
Republic of Germany :
(*Signed*) Dr. Hermann REINHARDT

For the Royal Greek Government :
(*Signed*) Dim. J. PAPPAS

EXCHANGE OF LETTERS

I

CHAIRMAN OF THE GERMAN DELEGATION

Hoechst, Frankfurt-on-Main, 12 February 1951

Sir :

In signing the Provisional Commercial Agreement concluded today, the Government of the Federal Republic of Germany and the Government of the Kingdom of Greece have agreed, in view of the special position in international law of the three western sectors of the city of Greater Berlin, that all the provisions of the Provisional Commercial Agreement of this date shall also apply to the American, British and French occupied sectors of Greater Berlin.

I have the honour to be, etc.

(*Initialled*) Rei. 15 November
Dr. Hermann REINHARDT
(*Signed*) Dr. Hermann REINHARDT

To Mr. Athanasios Triantaphyllis
Chairman of the Greek delegation

II

CHAIRMAN OF THE GREEK DELEGATION

Hoechst, Frankfurt-on-Main, 12 February 1951

Sir,

I hereby acknowledge receipt of your letter of today's date reading as follows :

[See letter I]

I have the honour to confirm that I am in agreement with the contents of the above letter.

I have the honour to be, etc.

(Initialled) Tri. 15 November
Athanasios TRIANTAPHYLLIS
(Signed) Dim. J. PAPPAS

To Dr. Hermann Reinhardt
Chairman of the German delegation

III

CHAIRMAN OF THE GREEK DELEGATION

Hoechst, Frankfurt-on-Main, 12 February 1951

Sir,

I have the honour to inform you that the Greek delegation and the German delegation have agreed on the following particulars :

Each of the Contracting Parties will grant to the nationals of the other Contracting Party the treatment granted to its own nationals in respect of the acquisition, retention and renewal of commercial and industrial rights (patents of invention, registered designs, patterns and models, trademarks, firm names) and of author's rights in literary and musical works.

German trademarks which were recorded and registered in Greece before 13 October 1949 will be restored to their previous owners for their unrestricted use in conformity with the general statutory provisions in force in Greece.

In accordance with what is agreed above, trademarks will not in future be seized, confiscated, transferred to another individual or body corporate or exploited in any other way.

The import from the territory of the Federal Republic of Germany of goods, in the marking or wrapping of which trademarks protected or registered for protection in the Kingdom of Greece before 13 October 1949 are used, will henceforward be generally permissible.

I have the honour to be, etc.

(Initialled) Tri. 15 November
Athanasios TRIANTAPHYLLIS
(Signed) Dim. J. PAPPAS

To Dr. Hermann Reinhardt
Chairman of the German delegation

IV

CHAIRMAN OF THE GERMAN DELEGATION

Hochst, Frankfurt-on-Main, 12 February 1951

Sir,

I have the honour to acknowledge receipt of your letter of today's date concerning trademarks and author's rights, reading as follows :

[See letter III]

I have the honour to inform you that my Government is in agreement with the contents of the above letter.

I have the honour to be, etc.

(Initialled) Rei. 15 November
Dr. Hermann REINHARDT
(Signed) Dr. Hermann REINHARDT

To Mr. Athanasios Triantaphyllis
Chairman of the Greek delegation

V

CHAIRMAN OF THE GERMAN DELEGATION

Hochst, Frankfurt-on-Main, 12 February 1951

Sir,

In a memorandum dated 9 November 1949 the Government of the Federal Republic of Germany expressed its opinion concerning the applicability of the Convention for the Protection of Industrial Property, dated Paris 20 March 1883,¹ to the Federal Republic and it transmitted the said memorandum, through

¹ De Martens, *Nouveau Recueil général de Traités*, deuxième série, tome X, p. 133; tome XXX, p. 465, et troisième série, tome VIII, p. 760; League of Nations, *Treaty Series*, Vol. LXXXIV, p. 289; Vol. LXXXIII, p. 464; Vol. LXXXVIII, p. 366; Vol. XCII, p. 403; Vol. C, p. 246; Vol. CIV, p. 512; Vol. CVII, p. 506; Vol. CXVII, p. 185; Vol. CXXX, p. 448; Vol. CXXXIV, p. 405; Vol. CXXXVIII, p. 443; Vol. CXLVII, p. 335; Vol. CLVI, p. 205; Vol. CLXIV, p. 378; Vol. CXCI, p. 17; Vol. CCIV, p. 469; Vol. CCV, p. 218; and United Nations, *Treaty Series*, Vol. 1, p. 269, and Vol. 32, p. 406.

the Allied High Commission and the Government of the Swiss Confederation, to the Government of the Kingdom of Greece, inquiring whether the Greek Government concurred in the said opinion.

I should be grateful if you would transmit this letter to your Government with the request that it should inform my Government of its position with respect to the aforesaid memorandum.

I have the honour to be, etc.

(*Initialled*) Rei. 15 November
Dr. Hermann REINHARDT
(*Signed*) Dr. Hermann REINHARDT

To Mr. Athanasios Triantaphyllis
Chairman of the Greek delegation

VI

CHAIRMAN OF THE GREEK DELEGATION

Hochst, Frankfurt-on-Main, 12 February 1951

Sir :

I have the honour to acknowledge receipt of your letter of today's date reading as follows :

[*See letter V*]

I have the honour to inform you that in accordance with your request I shall transmit the letter reproduced above to my Government.

I have the honour to be, etc.

(*Initialled*) Tri. 15 November
Athanasios TRIANTAPHYLLIS
(*Signed*) Dim. J. PAPPAS

To Dr. Hermann Reinhardt
Chairman of the German delegation

VII

CHAIRMAN OF THE GREEK DELEGATION

Hochst, Frankfurt-on-Main, 12 February 1951

Sir,

With reference to my letter of today's date containing the agreement reached on the question of trademarks and author's rights, I have the honour to supplement the same by bringing to your notice a reservation made by my Government to the effect that the trademarks "OSRAM" and "NIVEA" are excepted from

the restitution of former German trademarks and are definitively transferred to the possession of the Greek State.

The decision concerning the exclusion of the trademark "SCHERING" from the restitution of trademarks will be made by the two Governments in Athens on the basis of negotiations between experts of both countries on the subject.

I should be grateful if you would acknowledge receipt of this letter.

I have the honour to be, etc.

(*Initialled*) Tri. 15 November
Athanasios TRIANTAPHYLLIS
(*Signed*) Dim. J. PAPPAS

To Dr. Hermann Reinhardt
Chairman of the German delegation

VIII

CHAIRMAN OF THE GERMAN DELEGATION

Hoechst, Frankfurt-on-Main, 12 February 1951

Sir :

I have the honour to acknowledge receipt of your letter of today's date reading as follows :

[*See letter VII*]

I would take this opportunity to express the hope that the procedure proposed to be employed in connexion with the restitution of the trademark "SCHERING" may also be employed in connexion with the trademarks "OSRAM" and "NIVEA", and I should be grateful if you would transmit this request to the Greek Government.

I have the honour to be, etc.

(*Initialled*) Rei. 15 November
Dr. Hermann REINHARDT
(*Signed*) Dr. Hermann REINHARDT

To Mr. Athanasios Triantaphyllis
Chairman of the Greek delegation