

**No. 5371**

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**YUGOSLAVIA  
and  
AUSTRIA**

**Agreement concerning the restoration of certain rights to  
industrial and commercial trade marks. Signed at  
Belgrade, on 2 November 1954**

*Official text: French.*

*Registered by Yugoslavia on 26 September 1960.*

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**YUGOSLAVIE  
et  
AUTRICHE**

**Accord concernant la restauration de certains droits de  
marques de fabrique et de commerce. Signé à Belgrade,  
le 2 novembre 1954**

*Texte officiel français.*

*Enregistré par la Yougoslavie le 26 septembre 1960.*

[TRANSLATION — TRADUCTION]

No. 5371. AGREEMENT<sup>1</sup> BETWEEN THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE REPUBLIC OF AUSTRIA CONCERNING THE RESTORATION OF CERTAIN RIGHTS TO INDUSTRIAL AND COMMERCIAL TRADE MARKS. SIGNED AT BELGRADE, ON 2 NOVEMBER 1954

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*Article 1*

This Agreement shall apply to industrial and commercial trade marks formerly registered at the Office for the Protection of Industrial Property at Belgrade for industrial or commercial undertakings which were domiciled in the territory of the Republic of Austria.

*Article 2*

Such of the industrial and commercial trade marks referred to in article 1 as had not expired by 13 March 1938 or as originated between that date and 1 January 1946 may be restored to their former owners or the representatives thereof upon an application submitted within six months after the entry into force of this Agreement. The annual fees for the intervening period must be paid at the same time but shall not be subject to any surcharge or penalty.

*Article 3*

Industrial and commercial trade marks restored in accordance with the preceding article shall be deemed always to have belonged to their former owners or the representatives thereof.

*Article 4*

The renewal of registration of industrial and commercial trade marks which were entered under article 1 of the Agreement of Madrid<sup>2</sup> in the International Register in the name of undertakings domiciled in Austria, and for which the normal period of protection expired after 3 September 1939 but before 30 June 1948, shall be deemed to be valid retroactively from the date of expiry of the normal period, provided that such renewal was effected before 30 June 1948.

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<sup>1</sup> Came into force on 12 August 1955 by an exchange of notes signifying the approval of the two Governments, in accordance with article 6.

<sup>2</sup> League of Nations, *Treaty Series*, Vol. CCV, pp. 163 and 219; and United Nations, *Treaty Series*, Vol. 32, p. 407.

*Article 5*

Third parties who, in the territory of the Federal People's Republic of Yugoslavia, have made use of industrial or commercial trade marks restored in accordance with the preceding articles, or who continue to use the same during a period of nine months from the entry into force of this Agreement, shall not be held liable for infringement of the rights to the said marks or for compensation.

*Article 6*

This Agreement shall enter into force after it has been approved by the Governments of the two signatory Countries.

DONE in duplicate in the French language at Belgrade, on 2 November 1954.

For the Government  
of the Federal People's Republic  
of Yugoslavia :

(Signed) Dr. Milan BARTOS

For the Federal Government  
of the Republic of Austria :

(Signed) Dr. Walter WODAK