

No. 11784

**UNITED STATES OF AMERICA
and
FIJI**

Exchange of notes constituting an agreement regarding the continuation in force between the United States of America and Fiji of the Declaration of 24 October 1877 by Great Britain and the United States for the Protection of Trade Marks. Suva, 30 August 1971, and Washington, 4 November 1971

Authentic text: English.

Registered by the United States of America on 24 April 1972.

**ÉTATS-UNIS D'AMÉRIQUE
et
FIDJI**

Échange de notes constituant un accord relatif au maintien en vigueur entre les États-Unis d'Amérique et Fidji de la Déclaration du 24 octobre 1877 par la Grande-Bretagne et les États-Unis pour la protection des marques de fabrique. Suva, 30 août 1971, et Washington, 4 novembre 1971

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 24 avril 1972.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
FIJI REGARDING THE CONTINUATION IN FORCE
BETWEEN THE UNITED STATES OF AMERICA AND FIJI
OF THE DECLARATION OF 24 OCTOBER 1877² BY
GREAT BRITAIN AND THE UNITED STATES FOR THE
PROTECTION OF TRADE MARKS

I

PRIME MINISTER
SUVA, FIJI

30th August 1971

1173/27/1

Sir,

I have the honour to refer to the declaration made on 10 October 1970 to the Secretary-General of the United Nations, in which it was stated that the Government of Fiji, conscious of the desirability of maintaining existing legal relationships, and conscious of its obligations under international law to honour its treaty commitments, acknowledged that many treaty rights and obligations of the Government of the United Kingdom in respect of Fiji were succeeded to by Fiji upon independence by virtue of customary international law; but that since it is likely that in virtue of customary international law certain treaties might have lapsed at the date of independence of Fiji it seemed essential that each treaty should be subjected to legal examination; and that it was proposed that after this examination would have been completed, to indicate which, if any, of the treaties which might have lapsed by customary international law the Government of Fiji might wish to treat as having lapsed.

The Government of Fiji has examined the agreement entered into between Great Britain and U.S.A. on 24th October 1877.²

I have the honour to inform you that it is the desire of the Government of Fiji that the above agreement should be regarded as in force between our respective countries.

¹ Came into force on 4 November 1971 by the exchange of the said notes.

² *British and Foreign State Papers*, vol. 68, p. 12.

I have the honour to suggest that your Government's reply in the above sense and this Note should be considered by our respective Governments as constituting an Agreement to that effect.

I have the honour to be, Sir, Your obedient servant,

[Signed]

K. K. T. MARA
Prime Minister and Minister
for Foreign Affairs

The Secretary of State
The Department of State
Washington D.C.

II

DEPARTMENT OF STATE
WASHINGTON

November 4, 1971

Sir:

I have the honor to refer to your note of August 30, 1971 regarding the continuation in force between the United States of America and Fiji of the agreement on trademarks which was signed on October 24, 1877 by the United States and Great Britain.

The Government of the United States of America agrees that the above-mentioned agreement shall be considered as continuing in force between our two Governments.

Accordingly, your note and the present note in reply shall constitute an agreement between our two Governments in this matter.

Accept, Sir, the assurances of my highest consideration.

WILLIAM P. ROGERS
Secretary of State
of the United States of America

The Honorable Ratu Sir Kamisese K. T. Mara, K. B. E.
Prime Minister and Minister for Foreign Affairs
of Fiji