

original, and that the whole shall have been published within three years after the date of such deposit.

§ 4. And provided that the publication of the translation shall take place within one of the two States, and that it shall be registered and deposited according to the provisions of Article VII.

With regard to works which are published in parts, it will be sufficient if the declaration of the author that he reserves the right of translation, shall appear in the first part. But with reference to the period of five years limited by this Article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in the one State within three months after its first publication in the other.

#### ARTICLE IV.

The stipulations of the preceding Article shall also be applicable to the representation of dramatic works, and to the performance of musical compositions, in so far as the laws of each of the two States are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein.

In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within three months after the registration and deposit of the original.

It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations, or adaptations of dramatic works to the stage of England and Hamburg respectively, but is only meant to prevent piratical translations.

The question whether a work is an imitation or a piracy, shall in all cases be decided by the courts of justice of the respective States, according to the laws in force in each.

#### ARTICLE V.

The importation into, and the sale in either of the two States of piratical copies of works, which are protected from piracy under Articles I, II, and III of the present Convention, are prohibited, whether such piratical copies originate in the country where the work was published, or in any other country.

#### ARTICLE VI.

In the event of an infraction of the provisions of the foregoing Articles, the pirated works or articles shall be seized and destroyed; and the persons who may have committed such infraction shall be liable in each State to the penalties and actions which are or may be prescribed by the laws of that State for such offences, committed in respect of a work or production of home origin.

#### ARTICLE VII.

Neither authors, nor translators, nor their lawful representatives or assigns, shall be entitled in either State to the protection stipulated by the preceding Articles, nor shall copyright be claimable in either State, unless the work shall have been registered in the manner following, that is to say:—

1. If the work be one that has first appeared in Hamburg, it must be registered at the Hall of the Company of Stationers in London:

2. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must

be registered in the catalogue kept for that purpose at the Office of the Public Library at Hamburg.

No person shall be entitled to such protection as aforesaid, unless he shall have duly complied with the laws and regulations of the respective States in regard to the work in respect of which such protection may be claimed. With regard to books, maps, and prints, and also with regard to dramatic works and musical compositions, unless such dramatic works and musical compositions shall be in manuscript only, no person shall be entitled to such protection, unless he shall have delivered gratuitously, at one or other of the places mentioned above, as the case may be, one copy of the best edition, or in the best state, in order to its being deposited at the place appointed for that purpose in each of the two States, that is to say, in Great Britain at the British Museum at London; and in Hamburg at the Public Library of that city.

In every case the formality of deposit and registration must be fulfilled within three months after the first publication of the work in the other State. With regard to works published in parts, the period of three months shall not begin to run until the date of the publication of the last part, unless the author shall have notified his intention to reserve the right of translating it, as provided in Article III, in which case each part shall be treated as a separate work.

A certified copy of the entry in the Registrar Book of the Company of Stationers in London shall confer, within the British dominions, the exclusive right of republication, until a better right shall have been established by any other party before a court of justice.

The certificate given under the laws of Hamburg, proving the registration of any work in that State, shall be valid for the same purpose throughout the territory of Hamburg.

A certificate or certified copy of the registration of any work so registered in either State, shall, if required, be delivered at the time of registration, and such certificate shall state the exact date at which the registration was made.

The charge for the registration of a single work under the stipulations of this Article, shall not exceed one shilling in England, nor twelve shillings currency in Hamburg; and the further charge for a certificate of such registration shall not exceed the sum of five shillings in England, nor four marks currency in Hamburg.

#### ARTICLE VIII.

With regard to any article other than books, prints, maps, and musical publications, in respect to which protection may be claimable under Article I of the present Convention, it is agreed that any other mode of registration than that prescribed in the preceding Article, which is or may be applicable by law in one of the two States to any work or article first published in such State, for the purpose of affording protection to copyright in such work or article, shall be extended on equal terms to any similar work or article first published in the other State.

#### ARTICLE IX.

During the continuance of this Convention, the duties now payable upon the lawful importation into the United Kingdom of Great Britain and Ireland of books, prints, drawings, or musical works, published throughout the Republic of Ham-