

Article from the Austrian Patent Office Journal (1902)

Abstract

This news item from the *Österreichisches Patentblatt* quotes an article from the conservative Prussian-German newspaper *Kreuzzeitung* about the Merchandise Marks Act, the English trademark law of 1887. According to the article, the law was supposed to convince British consumers that German products were inferior but actually had the opposite effect. British faith in their own industrial superiority was among the reasons given for the law's purported failure.

Source

London. The Bacon Curers Association in England has introduced legal proceedings against a number of English merchants for selling English goods with the label "Made in Germany."

This news has been widely noted in the relevant circles of German industry. The general public in the German Empire is also interested in this complaint, believing it to be the strongest evidence that the English Merchandise Marks Act of 1887 has achieved precisely the opposite of its intended effect.

Kreuz-Zeitung writes the following:

"Through the trademark law, England hoped substantially to reduce demand for foreign and especially German goods and to be able to establish protection for domestic goods.

The intended effect would have also been achieved if the measure had not been based on a false premise. There was a general conviction in England at the time, and it is still widely held today, that English industry is the most competitive in the world. Non-English goods, especially German goods, were considered poor stuff ("German trash" or "rubbish"). The public was unaware that, generally through the work of English middlemen, German goods were imported into England in quantity and bore an English stamp so that they could be sold as English. In very many cases, the unfair competition that could be found in England, which consisted of foreign goods bearing English marks, was first introduced by English middlemen.

Since that time, the error has been recognized. The stamp "Made in Germany," which was supposed to function as a deterrent, has become a recommendation. A few years ago, the law, which had originally been strictly and harshly enforced, was tempered. Instead of the labels "Made in Germany," "Made in Austria," and so forth, the notice "foreign made" is now sufficient. But the impression that "made in Germany" was a recommendation was already there.

German suppliers stuck by it and promoted their interests. Finally, even English manufacturers used the "Made in Germany" label, without authorization, as an advertisement, and gave unfair competition to German factories by stamping English goods with the mark "Made in Germany."

Source: *Österreichisches Patentblatt* 4, no. 6 (1902), pp. 250–51. Available online at:
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