

### V. *Transitory Provisions.*

SEC. 27. Even the traders who at present use a mark can only acquire the exclusive right to it on the conditions of this law.

SEC. 28. For this purpose the interval to the end of the month of June, 1859 is granted to them, to the effect that by the registration of the mark during this interval the right is secured to every one of maintaining the priority of his mark used before the appearance of this law, even against any one who may have anticipated him in the registration of the said mark, but has not actually made use of it up to the introduction of this law.

SEC. 29. If, however, before the operation of this law, several have used the same mark, then of those who have this mark registered within the interval fixed in section 28 he acquires the exclusive right in the mark who proves that he has used it earlier than the rest. Any dispute is to be decided by the police authorities, after hearing the contending parties, on the evidence of the proofs brought forward by them as to the earlier commencement of the previous use of the mark.

In those provinces where mark registers (sign rolls, &c.) were kept with public attestation before the appearance of this law, the contents thereof, when no objection prevails to the contrary, are to settle the question. If, however, none of the contending parties can produce proof of the longer use of such mark than the rest, then the question must be decided by lot.