The Buenos Aires Convention

Copyright convention between the United States and other American Republics. Signed at Buenos Aires, August 11, 1910; ratification advised by the Senate, February 15, 1911; ratified by the President, March 12, 1911; ratification deposited with the Government of Argentina, May 1, 1911; proclaimed, July 13, 1914.

BY THE PRESIDENT OF THE
UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, a Convention on Literary and Artistic Copyright between the United States of America and the Argentine Republic, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Salvador, Uruguay, and Venezuela was concluded and signed by their respective Plenipotentiaries at Buenos Aires on the eleventh day of August, one thousand nine hundred and ten, the original of which Convention, being in the Spanish, English, Portuguese, and French languages, is word for word as follows:

CONVENTION

Literary and Artistic Copyright

Their Excellencies the Presidents of the United States of America, the Argentine Republic, Brazil, Chili, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Salvador, Uruguay and Venezuela;

BEING desirous that their respective countries may be represented at the Fourth International American Conference, have sent thereto the following Delegates duly authorized to approve the recommendations, resolutions, conventions and treaties which they might deem advantageous to the interests of America: [*Names omitted*]

WHO, after having presented their credentials and the same having been found in due and proper form, have agreed upon the following Convention on Literary and Artistic Copyright.

1st.--The signatory States acknowledge and protect the rights of Literary and Artistic Property in conformity with the stipulations of the present Convention.

2nd.--In the expression "Literary and Artistic Works" are included books, writings, pamphlets of all kinds, whatever may be the subject of which they treat and whatever the number of their pages; dramatic or dramatico-musical works; choreographic and musical compositions, with or without words; drawings, paintings sculpture, engravings; photographic works; astronomical or geographical globes; plans, sketches or plastic works relating to geography, geology or topography, architecture or any other science; and, finally all productions that can be published by any means of impression or reproduction.

3rd.--The acknowledgement of a copyright obtained in one State, in conformity with its laws, shall produce its effects of full right, in all the other States, without the necessity of complying with any other formality, provided always there shall appear in the work a statement that indicates the reservation of the property right.

4th.--The copyright of a literary or artistic work, includes for its author or assigns the exclusive power of disposing of the same, of publishing, assigning, translating or authorizing its translation and reproducing it in any form whether wholly or in part.

5th.--The author of a protected work, except in case of proof to the contrary, shall be considered the person whose name or well known nom-de-plume is indicated therein; consequently suit brought by such author or his representative against counterfeiters or violators, shall be admitted by the Courts of the Signatory States.

6th.--The authors or their assigns, citizens or domiciled foreigners, shall enjoy in the signatory countries the rights that the respective laws accord, without those rights being allowed to exceed the term of protection granted in the country of origin.

For works comprising several volumes that are not published simultaneously, as well as for bulletins, or parts, or periodical publications, the term of the copyright will commence to run, with respect to each volume, bulletin, part, or periodical publication, from the respective date of its publication.

7th.--The country of origin of a work will be deemed that of its first publication in America, and if it shall have appeared simultaneously in several of the signatory countries, that which fixes the shortest period of protection.

8th.--A work which was not originally copyrighted shall not be entitled to copyright in subsequent editions.

9th.--Authorized translations shall be protected in the same manner as original works.

Translators of works concerning which no right of guaranteed property exists, or the guaranteed copyright of which may have been extinguished, may obtain for their translations the rights of property set forth in Article 3rd but they shall not prevent the publication of other translations of the same work.

10th.--Addresses or discourses delivered or read before deliberative assemblies, Courts of Justice, or at public meeting, may be printed in the daily press without the necessity of any authorization, with due regard however, to the provisions of the domestic legislation of each nation.

11th.--Literary, scientific or artistic writings, whatever may be their subjects, published in newspapers or magazines, in any one of the countries of the Union, shall not be reproduced in the other countries without the consent of the authors. With the exception of the works mentioned, any article in a newspaper may be reprinted by others, if it has not been expressly prohibited, but in every case, the source from which it is taken must be cited.

News and miscellaneous items published merely for general information, do not enjoy protection under this Convention.

12th.--The reproduction of extracts from literary or artistic publications for the purpose of instruction or chrestomathy, does not confer any right of property, and may, therefore, be freely made in all the signatory countries.

13th.--The indirect appropriation of unauthorized parts of a literary or artistic work, having no original character, shall be deemed an illicit reproduction, in so far as affects civil liability.

The reproduction in any form of an entire work, or of the greater part thereof, accompanied by notes or commentaries under the pretext of literary criticism or amplification, or supplement to the original work, shall also be considered illicit.

14th.--Every publication infringing a copyright may be confiscated in the signatory countries in which the original work had the right to be legally protected, without prejudice to the indemnities or penalties which the counterfeiters may have incurred according to the laws of the country in which the fraud may have been commited [sic].

15th.--Each of the Governments of the signatory countries, shall retain the right to permit, inspect, or prohibit the circulation, representation or exhibition of works or productions, concerning which the proper authority may have to exercise that right.

16th.--The present Convention shall become operative between the Signatory States which ratify it, three month [sic] after they shall have communicated their ratification to the Argentine Government, and it shall remain in force among them until a year after the date when it may be denounced. This denunciation shall be addressed to the Argentine Government and shall be without force except with respect to the country making it.

IN WITNESS WHEREOF, the Plenipotentiaries have signed the present treaty and affixed thereto the Seal of the Fourth International American Conference.

Made and signed in the city of Buenos Aires on the eleventh day of August in the year one thousand nine hundred and ten, in Spanish, English, Portuguese and French, and deposited in the Ministry of Foreign Affairs of the Argentine Republic, in order that certified copies be made for transmission to each one of the signatory nations through the appropriate diplomatic channels. [*Signatures omitted*]