

2017 Regular Session

HOUSE BILL NO. 610

BY REPRESENTATIVE GLOVER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRADEMARKS/TRADE NAMES: Provides relative to the licensing of the use of the name or symbol of a public postsecondary education institution in association with alcoholic beverages

1 AN ACT

2 To amend and reenact R.S. 51:224(A), relative to the commercial use of names and symbols
3 of public postsecondary education institutions; to prohibit such use relating to the
4 marketing of alcoholic beverages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 51:224(A) is hereby amended and reenacted to read as follows:

7 §224. ~~Educational~~ Education institutions

8 A.(1) No person shall use for any commercial purpose any name, work,
9 symbol, or device or any combination thereof which resembles the official name,
10 symbol, seal, or logo of a public or accredited private ~~educational~~ education
11 institution except with the written consent of the public or private ~~educational~~
12 education institution.

13 (2) No person shall use for any purpose related to the marketing or branding
14 of an alcoholic beverage any name, work, symbol, or device or any combination
15 thereof that resembles the official name, symbol, seal, or logo of a public
16 postsecondary education institution, and no such institution shall authorize use for
17 this purpose.

18 Section 2. A written agreement prohibited by this Act but in effect on the effective
19 date of this Act may remain in effect but only for the term or period specified therein that

1 covers the effective date of this Act. No such term or period shall be extended, and no such
2 agreement shall be renewed.

3 Section 3. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 610 Original

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Glover

Abstract: Prohibits use of the names, symbols, or images of a public college or university for any purpose related to the marketing or branding of an alcoholic beverage.

Present law provides for the registration of trademarks and trade names by which the goods and services of one entity are distinguished from the goods and services of another. Prohibits unauthorized use of trademarks and trade names.

Present law, relative to public and accredited private education institutions, prohibits any use of the official name, symbol, seal, or logo of such an institution without written consent of the institution.

Proposed law prohibits all use of the official name, symbol, seal, or logo of a public postsecondary education institution for any purpose related to the marketing or branding of an alcoholic beverage. Otherwise retains present law.

Proposed law provides that an agreement prohibited by proposed law but in effect on the effective date of proposed law may remain in effect but may not be extended or renewed.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 51:224(A))