

HOUSE No. 2977

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph R. Driscoll, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to state trademarks.

PETITION OF:

NAME:

Joseph R. Driscoll, Jr.

DISTRICT/ADDRESS:

5th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3183 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO STATE TRADEMARKS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3 of chapter 110H of the General Laws, as appearing in chapter 195 of 2006, is
2 hereby amended by striking out paragraph (e) and inserting in place thereof the following paragraph:-

3 (e) The application shall be accompanied by 1 specimen showing the mark as actually used.

4 SECTION 2. Said chapter 110H is hereby further amended by adding the following section:-

5 Section 18. The intent of this chapter is to provide a system of state trademark registration and protection
6 substantially consistent with the federal system of trademark registration and protection under the Trademark Act of
7 1946, as amended. To that end, the construction given the federal Act should be examined as persuasive authority
8 for interpreting and construing this chapter to the extent of the consistency in the language.

9 SECTION 3. Paragraph (b) of section 4.01 of chapter 156D of the General Laws, as amended by section 3 of chapter
10 195 of 2006, is hereby further amended by striking out clause (6) and inserting in place thereof the following
11 clause:-