

**SENATE . . . . . No. 2033**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Cynthia Stone Creem***

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*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 adoption of the accompanying bill:

An Act making technical corrections to the state trademarks act.

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PETITION OF:

NAME:

*Cynthia Stone Creem*

DISTRICT/ADDRESS:

*First Middlesex and Norfolk*

**SENATE . . . . . No. 2033**

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By Ms. Creem, a petition (accompanied by bill, Senate, No. 2033) of Cynthia Stone Creem for legislation to make technical corrections to the State Trademarks Act. State Administration and Regulatory Oversight.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1821 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act making technical corrections to the state trademarks act.

*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 the 2016  
2 Official Edition, is hereby amended by striking out paragraph (e) and inserting in place thereof  
3 the following paragraph:-

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

6           SECTION 2. Said chapter 110H, as so appearing, is hereby further amended by adding  
7 the following section:-

8           Section 18. The intent of this chapter is to provide a system of state trademark  
9 registration and protection substantially consistent with the federal system of trademark

10 registration and protection under the Trademark Act of 1946, as amended. To that end, the  
11 construction given the federal Act should be examined as persuasive authority for interpreting  
12 and construing this chapter to the extent of the consistency in the language.

13 SECTION 3. Paragraph (b) of section 4.01 of chapter 156D of the General Laws, as  
14 appearing in the 2016 Official Edition, is hereby amended by striking out clause (6) and inserting  
15 in place thereof the following clause:-

16 (6) a trademark or service mark registered with the secretary of state under chapter 110B  
17 or 110H.

18 SECTION 4. Subsection (b) of section 15.06 of said chapter 156D, as so appearing, is  
19 hereby further amended by striking out clause (6) and inserting in place thereof the following  
20 clause:-

21 (6) a trademark or service mark registered with the secretary of state under chapter 110B  
22 or 110H.