

AMENDMENTS

1974—Subsec. (e). Pub. L. 93-554 inserted exception relating to requirement of vouchers for the disbursement of salaries of employees paid at an annual rate.

1967—Subsec. (a). Pub. L. 90-2 substituted “ten”, “six”, and “four” for “eight”, “five”, and “three”, respectively.

1964—Subsec. (e). Pub. L. 88-661 authorized appropriations for such sums as may be necessary for each fiscal year and eliminated provisions which limited the authorization to a maximum of \$125,000 yearly.

1959—Subsec. (a). Pub. L. 86-1 added one additional Senator and one Representative to the Committee, and substituted provisions requiring the majority party to be represented by five Members and the minority party to be represented by three Members for provisions which required representation to reflect as nearly as may be feasible the relative membership of the majority and minority parties.

1956—Subsec. (a). Act June 19, 1956, substituted “Joint Economic Committee” for “Joint Committee on the Economic Report”.

1949—Subsec. (e). Act Oct. 6, 1949, §1, substituted “\$125,000” for “\$50,000”.

Subsec. (f). Act Oct. 6, 1949, §2, added subsec. (f).

1948—Subsec. (b)(3). Act Feb. 2, 1948, substituted “March 1” for “February 1”.

1946—Subsec. (b)(3). Act Aug. 2, 1946, substituted “February 1” for “May 1”.

EFFECTIVE DATE OF 1974 AMENDMENT

Pub. L. 93-554 provided that the amendment made by Pub. L. 93-554 is effective Jan. 1, 1975.

EFFECTIVE DATE OF 1946 AMENDMENT

Amendment by act Aug. 2, 1946, effective Aug. 2, 1946, see section 245 of that act, set out as a note under section 72a of Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1022 of this title.

§ 1025. Printing of monthly publication by Joint Economic Committee entitled “Economic Indicators”; distribution

The Joint Economic Committee is authorized to issue a monthly publication entitled “Economic Indicators”, and a sufficient quantity shall be printed to furnish one copy to each Member of Congress; the Secretary and the Sergeant at Arms of the Senate; the Clerk, Sergeant at Arms, and Chief Administrative Officer of the House of Representatives; two copies to the libraries of the Senate and House, and the Congressional Library; seven hundred copies to the Joint Economic Committee; and the required number of copies to the Superintendent of Documents for distribution to depository libraries; and the Superintendent of Documents is authorized to have copies printed for sale to the public.

(June 23, 1949, ch. 237, 63 Stat. 264; Aug. 20, 1996, Pub. L. 104-186, title II, §217, 110 Stat. 1747.)

CODIFICATION

Section was not enacted as a part of the Employment Act of 1946 which comprises this chapter.

“Joint Economic Committee” substituted in text for “Joint Committee on the Economic Report” to conform to act June 18, 1956, ch. 399, §2, 70 Stat. 290. See section 1024(a) of this title.

AMENDMENTS

1996—Pub. L. 104-186 substituted “Chief Administrative Officer” for “Doorkeeper”.

§ 1026. Repealed. Pub. L. 94-136, title VI, § 601, Nov. 28, 1975, 89 Stat. 742

Section, Pub. L. 92-210, §4, Dec. 22, 1971, 85 Stat. 753; Pub. L. 93-34, May 14, 1973, 87 Stat. 72, created the President’s National Commission on Productivity and authorized appropriations for its operation through June 30, 1973. Thereafter, the Commission’s name was changed to the National Commission on Productivity and Work Quality by Pub. L. 93-311, June 8, 1974, 88 Stat. 236 and appropriations were authorized to continue operations through November 30, 1975, by Pub. L. 94-42, §2, June 28, 1975, 89 Stat. 232, and Pub. L. 94-100, §2, Oct. 1, 1975, 89 Stat. 483. See section 2401 et seq. of this title.

CHAPTER 22—TRADE-MARKS

SUBCHAPTER I—THE PRINCIPAL REGISTER

- Sec.
1051. Registration of trade-marks.
 (a) Trade-marks used in commerce.
 (b) Trade-marks intended for use in commerce.
 (c) Amendment of application under subsection (b) to conform to requirements of subsection (a).
 (d) Verified statement that trade-mark is used in commerce.
 (e) Designation of resident for service of process and notices.
1052. Trade-marks registrable on principal register; concurrent registration.
1053. Service marks registrable.
1054. Collective marks and certification marks registrable.
1055. Use by related companies affecting validity and registration.
1056. Disclaimer of unregistrable matter.
 (a) Compulsory and voluntary disclaimers.
 (b) Prejudice of rights.
1057. Certificates of registration.
 (a) Issuance and form.
 (b) Certificate as prima facie evidence.
 (c) Application to register mark considered constructive use.
 (d) Issuance to assignee.
 (e) Surrender, cancellation, or amendment by registrant.
 (f) Copies of Patent and Trademark Office records as evidence.
 (g) Correction of Patent and Trademark Office mistake.
 (h) Correction of applicant’s mistake.
1058. Duration of registration.
 (a) Affidavit of continuing use.
 (b) Registration published under other provisions of law.
 (c) Notification of acceptance or refusal of affidavits.
1059. Renewal of registration.
 (a) Period of renewal; time for renewal.
 (b) Notification of refusal of renewal.
 (c) Applicant for renewal not domiciled in United States.
1060. Assignment of mark; execution; recording; purchaser without notice.
1061. Execution of acknowledgments and verifications.
1062. Publication.
 (a) Examination and publication.
 (b) Refusal of registration; amendment of application; abandonment.
 (c) Republication of marks registered under prior acts.
1063. Opposition to registration.
1064. Cancellation of registration.
1065. Incontestability of right to use mark under certain conditions.

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| <p>Sec.
1066. Interference; declaration by Commissioner.
1067. Interference, opposition, and proceedings for concurrent use registration or for cancellation; notice; Trademark Trial and Appeal Board.
1068. Action of Commissioner in interference, opposition, and proceedings for concurrent use registration or for cancellation.
1069. Application of equitable principles in inter partes proceedings.
1070. Appeals to Trademark Trial and Appeal Board from decisions of examiners.
1071. Appeal to courts.
 (a) Persons entitled to appeal; United States Court of Appeals for the Federal Circuit; waiver of civil action; election of civil action by adverse party; procedure.
 (b) Civil action; persons entitled to; jurisdiction of court; status of Commissioner; procedure.
1072. Registration as constructive notice of claim of ownership.</p> <p>SUBCHAPTER II—THE SUPPLEMENTAL REGISTER</p> <p>1091. Supplemental register.
 (a) Marks registerable.
 (b) Application and proceedings for registration.
 (c) Nature of mark.
1092. Publication; not subject to opposition; cancellation.
1093. Registration certificates for marks on principal and supplemental registers to be different.
1094. Provisions of chapter applicable to registrations on supplemental register.
1095. Registration on principal register not precluded.
1096. Registration on supplemental register not used to stop importations.</p> <p>SUBCHAPTER III—GENERAL PROVISIONS</p> <p>1111. Notice of registration; display with mark; recovery of profits and damages in infringement suit.
1112. Classification of goods and services; registration in plurality of classes.
1113. Fees.
 (a) Applications; services; materials.
 (b) Waiver; Indian products.
1114. Remedies; infringement; innocent infringement by printers and publishers.
1115. Registration on principal register as evidence of exclusive right to use mark; defenses.
 (a) Evidentiary value; defenses.
 (b) Incontestability; defenses.
1116. Injunctive relief.
 (a) Jurisdiction; service.
 (b) Transfer of certified copies of court papers.
 (c) Notice to Commissioner.
 (d) Civil actions arising out of use of counterfeit marks.
1117. Recovery for violation of rights.
 (a) Profits; damages and costs; attorney fees.
 (b) Treble damages for use of counterfeit mark.
 (c) Election of award of statutory damages.
1118. Destruction of infringing articles.
1119. Power of court over registration.
1120. Civil liability for false or fraudulent registration.
1121. Jurisdiction of Federal courts; State and local requirements that registered trademarks be altered or displayed differently; prohibition.</p> | <p>Sec.
1121a. Transferred.
1122. Liability of States, instrumentalities of States, and State officials.
 (a) Waiver of sovereign immunity.
 (b) Remedies.
1123. Rules and regulations for conduct of proceedings in Patent and Trademark Office.
1124. Importation of goods bearing infringing marks or names forbidden.
1125. False designations of origin, false descriptions, and dilution forbidden.
 (a) Civil action.
 (b) Importation.
 (c) Remedies for dilution of famous marks.
1126. International conventions.
 (a) Register of marks communicated by international bureaus.
 (b) Benefits of section to persons whose country of origin is party to convention or treaty.
 (c) Prior registration in country of origin; country of origin defined.
 (d) Right of priority.
 (e) Registration on principal or supplemental register; copy of foreign registration.
 (f) Domestic registration independent of foreign registration.
 (g) Trade or commercial names of foreign nationals protected without registration.
 (h) Protection of foreign nationals against unfair competition.
 (i) Citizens or residents of United States entitled to benefits of section.
1127. Construction and definitions; intent of chapter.</p> <p style="text-align: center;">EFFECTIVE DATE</p> <p>This chapter, act July 5, 1946, ch. 540, 60 Stat. 427, became effective one year from July 5, 1946, and repealed chapter 3 of this title as of that date. See notes under section 1051 of this title.</p> <p style="text-align: center;">PRIOR LAWS</p> <p>The Trade-Mark Act of 1905 superseded the Trade-Mark Act of Mar. 3, 1881, ch. 138, 21 Stat. 502, entitled "An Act to authorize the registration of trade-marks and protect the same," and also act Aug. 5, 1882, ch. 393, 22 Stat. 298, entitled "An Act relating to the registration of trade marks". Former section 109 of this title repealed all inconsistent acts and parts of acts, except so far as they might apply to certificates of registration issued under the Trade-Mark Act of Mar. 3, 1881, ch. 138, and act Aug. 5, 1882, ch. 393.</p> <p style="text-align: center;">CHAPTER REFERRED TO IN OTHER SECTIONS</p> <p>This chapter is referred to in title 18 section 2320; title 19 section 1337; title 22 section 2141c; title 36 section 380; title 48 section 1643.</p> <p>SUBCHAPTER I—THE PRINCIPAL REGISTER</p> <p>§ 1051. Registration of trade-marks</p> <p>(a) Trade-marks used in commerce</p> <p>The owner of a trade-mark used in commerce may apply to register his or her trade-mark under this chapter on the principal register established:</p> <p>(1) By filing in the Patent and Trademark Office—</p> <p>(A) a written application, in such form as may be prescribed by the Commissioner, verified by the applicant, or by a member of the firm or an officer of the corporation or</p> |
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