

“(b) This section shall apply to pay periods beginning on or after October 1, 2000.”

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; Pub. L. 104-186, title II, § 217, Aug. 20, 1996, 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 Repealed.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—TRADEMARKS

SUBCHAPTER I—THE PRINCIPAL REGISTER

Sec. 1051.	Application for registration; verification. (a) Application for use of trademark. (b) Application for bona fide intention to use trademark. (c) Amendment of application under subsection (b) to conform to requirements of subsection (a). (d) Verified statement that trademark is used in commerce. (e) Designation of resident for service of process and notices.
1052.	Trademarks registrable on principal register; concurrent registration.
1053.	Service marks registrable.
1054.	Collective marks and certification marks registrable.

Sec. 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. (a) In general. (b) Affidavit of continuing use. (c) Grace period for submissions; deficiency. (d) Notice of affidavit requirement. (e) Notification of acceptance or refusal of affidavits. (f) Designation of resident for service of process and notices.
1059.	Renewal of registration. (a) Period of renewal; time for renewal. (b) Notification of refusal of renewal. (c) Designation of resident for service of process and notices.
1060.	Assignment.
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.
1066.	Interference; declaration by Director.
1067.	Interference, opposition, and proceedings for concurrent use registration or for cancellation; notice; Trademark Trial and Appeal Board.
1068.	Action of Director 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 Director; procedure.
1072.	Registration as constructive notice of claim of ownership.
SUBCHAPTER II—THE SUPPLEMENTAL REGISTER	
1091.	Supplemental register. (a) Marks registerable. (b) Application and proceedings for registration. (c) Nature of mark.
1092.	Publication; not subject to opposition; cancellation.

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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.

SUBCHAPTER III—GENERAL PROVISIONS

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 Director.
(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) Statutory damages for use of counterfeit marks.
(d) Statutory damages for violation of section 1125(d)(1).
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.
1121a. Transferred.
1122. Liability of United States and States, and instrumentalities and officials thereof.
(a) Waiver of sovereign immunity by the United States.
(b) Waiver of sovereign immunity by States.
(c) 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.
(d) Cyberpiracy prevention.
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.

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(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.
1128. National Intellectual Property Law Enforcement Coordination Council.
(a) Establishment.
(b) Duties.
(c) Consultation required.
(d) Non-derogation.
(e) Report.
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EFFECTIVE DATE

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.

PRIOR LAWS

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.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1129 of this title; title 18 section 2320; title 19 section 1337; title 36 section 220506; title 48 section 1643.

SUBCHAPTER I—THE PRINCIPAL REGISTER

§ 1051. Application for registration; verification

(a) Application for use of trademark

(1) The owner of a trademark used in commerce may request registration of its trademark on the principal register hereby established by paying the prescribed fee and filing in the Patent and Trademark Office an application and a verified statement, in such form as may be prescribed by the Director, and such number of specimens or facsimiles of the mark as used as may be required by the Director.

(2) The application shall include specification of the applicant's domicile and citizenship, the date of the applicant's first use of the mark, the date of the applicant's first use of the mark in commerce, the goods in connection with which the mark is used, and a drawing of the mark.

(3) The statement shall be verified by the applicant and specify that—

(A) the person making the verification believes that he or she, or the juristic person in whose behalf he or she makes the verification, to be the owner of the mark sought to be registered;

(B) to the best of the verifier's knowledge and belief, the facts recited in the application are accurate;

(C) the mark is in use in commerce; and