

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.

SENATE MEMBERS OF JOINT ECONOMIC COMMITTEE FOR 107TH CONGRESS

Pub. L. 107-20, title II, §2806, July 24, 2001, 115 Stat. 185, provided: “That notwithstanding any other provision of law, and specifically section 5(a) of the Employment Act of 1946 (15 U.S.C. 1024(a)), the Members of the Senate to be appointed by the President of the Senate shall for the duration of the One Hundred Seventh Congress, be represented by six Members of the majority party and five Members of the minority party.”

Similar provisions were contained in Pub. L. 107-3, Mar. 13, 2001, 115 Stat. 5.

AGENCY CONTRIBUTIONS FOR EMPLOYEES OF JOINT ECONOMIC COMMITTEE

Pub. L. 106-554, §1(a)(2) [title I, §7], Dec. 21, 2000, 114 Stat. 2763, 2763A-98, provided that:

“(a) Agency contributions for employees whose salaries are disbursed by the Secretary of the Senate from the appropriations account ‘Joint Economic Committee’ under the heading ‘JOINT ITEMS’ shall be paid from the Senate appropriations account for ‘Salaries, Officers and Employees’.

“(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, Ser-

geant 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

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| Sec. | |
| 1051. | Application for registration; verification. <ul style="list-style-type: none"> (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. |
| 1055. | Use by related companies affecting validity and registration. |
| 1056. | Disclaimer of unregistrable matter. <ul style="list-style-type: none"> (a) Compulsory and voluntary disclaimers. (b) Prejudice of rights. |
| 1057. | Certificates of registration. <ul style="list-style-type: none"> (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. |

Sec.		Sec.	
	(g) Correction of Patent and Trademark Office mistake.	1113.	Fees.
	(h) Correction of applicant's mistake.		(a) Applications; services; materials.
1058.	Duration.	1114.	Remedies; infringement; innocent infringement by printers and publishers.
	(a) In general.	1115.	Registration on principal register as evidence of exclusive right to use mark; defenses.
	(b) Affidavit of continuing use.		(a) Evidentiary value; defenses.
	(c) Grace period for submissions; deficiency.		(b) Incontestability; defenses.
	(d) Notice of affidavit requirement.	1116.	Injunctive relief.
	(e) Notification of acceptance or refusal of affidavits.		(a) Jurisdiction; service.
	(f) Designation of resident for service of process and notices.		(b) Transfer of certified copies of court papers.
1059.	Renewal of registration.		(c) Notice to Director.
	(a) Period of renewal; time for renewal.		(d) Civil actions arising out of use of counterfeit marks.
	(b) Notification of refusal of renewal.	1117.	Recovery for violation of rights.
	(c) Designation of resident for service of process and notices.		(a) Profits; damages and costs; attorney fees.
1060.	Assignment.		(b) Treble damages for use of counterfeit mark.
1061.	Execution of acknowledgments and verifications.		(c) Statutory damages for use of counterfeit marks.
1062.	Publication.		(d) Statutory damages for violation of section 1125(d)(1).
	(a) Examination and publication.	1118.	Destruction of infringing articles.
	(b) Refusal of registration; amendment of application; abandonment.	1119.	Power of court over registration.
	(c) Republication of marks registered under prior acts.	1120.	Civil liability for false or fraudulent registration.
1063.	Opposition to registration.	1121.	Jurisdiction of Federal courts; State and local requirements that registered trademarks be altered or displayed differently; prohibition.
1064.	Cancellation of registration.	1121a.	Transferred.
1065.	Incontestability of right to use mark under certain conditions.	1122.	Liability of United States and States, and instrumentalities and officials thereof.
1066.	Interference; declaration by Director.		(a) Waiver of sovereign immunity by the United States.
1067.	Interference, opposition, and proceedings for concurrent use registration or for cancellation; notice; Trademark Trial and Appeal Board.		(b) Waiver of sovereign immunity by States.
1068.	Action of Director in interference, opposition, and proceedings for concurrent use registration or for cancellation.		(c) Remedies.
1069.	Application of equitable principles in inter partes proceedings.	1123.	Rules and regulations for conduct of proceedings in Patent and Trademark Office.
1070.	Appeals to Trademark Trial and Appeal Board from decisions of examiners.	1124.	Importation of goods bearing infringing marks or names forbidden.
1071.	Appeal to courts.	1125.	False designations of origin, false descriptions, and dilution forbidden.
	(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.		(a) Civil action.
	(b) Civil action; persons entitled to; jurisdiction of court; status of Director; procedure.		(b) Importation.
			(c) Remedies for dilution of famous marks.
1072.	Registration as constructive notice of claim of ownership.	1126.	(d) Cyberpiracy prevention.
			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.
		1128.	National Intellectual Property Law Enforcement Coordination Council.
			(a) Establishment.
			(b) Duties.
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.		
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.		

Sec.

- (c) Consultation required.
- (d) Non-derogation.
- (e) Report.
- (f) Funding.

1129. Cyberpiracy protections for individuals.

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

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in title 19 section 1681a.

§ 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

(D) to the best of the verifier's knowledge and belief, no other person has the right to use such mark in commerce either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods of such other person, to cause confusion, or to cause mistake, or to deceive, except that, in the case of every application claiming concurrent use, the applicant shall—

(i) state exceptions to the claim of exclusive use; and

(ii) shall specify, to the extent of the verifier's knowledge—

(I) any concurrent use by others;

(II) the goods on or in connection with which and the areas in which each concurrent use exists;

(III) the periods of each use; and

(IV) the goods and area for which the applicant desires registration.

(4) The applicant shall comply with such rules or regulations as may be prescribed by the Director. The Director shall promulgate rules prescribing the requirements for the application and for obtaining a filing date herein.

(b) Application for bona fide intention to use trademark

(1) A person who has a bona fide intention, under circumstances showing the good faith of such person, to use a trademark 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.

(2) The application shall include specification of the applicant's domicile and citizenship, the goods in connection with which the applicant has a bona fide intention to use the mark, and a drawing of the mark.

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

(A) that 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 entitled to use the mark in commerce;

(B) the applicant's bona fide intention to use the mark in commerce;

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

(D) that, to the best of the verifier's knowledge and belief, no other person has the right to use such mark in commerce either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods of such other person, to cause confusion, or to cause mistake, or to deceive.

Except for applications filed pursuant to section 1126 of this title, no mark shall be registered until the applicant has met the requirements of subsections (c) and (d) of this section.

(4) The applicant shall comply with such rules or regulations as may be prescribed by the Director. The Director shall promulgate rules prescribing the requirements for the application and for obtaining a filing date herein.

(c) Amendment of application under subsection (b) to conform to requirements of subsection (a)

At any time during examination of an application filed under subsection (b) of this section, an applicant who has made use of the mark in commerce may claim the benefits of such use for purposes of this chapter, by amending his or her