

HOUSE No. 151

Accompanying the tenth recommendation of the Secretary of the Commonwealth (House, No. 141). Mercantile Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Three.

AN ACT RELATIVE TO THE REGISTRATION OF LABELS AND TRADE MARKS.

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 8 of chapter 110 of the Gen-
2 eral Laws, as appearing in the Tercentenary Edition,
3 is hereby amended by adding at the end thereof the
4 following paragraph: —

5 When any label shall have been recorded for twenty
6 years, the secretary shall give notice to the owner or
7 assignee of record thereof by registered mail that the
8 said certificate of record will be cancelled if it is not
9 renewed within six months after the date of the no-
10 tice. The owner of such label may renew the same
11 upon the filing within said six months of an applica-
12 tion for renewal accompanied by a written declara-
13 tion, sworn to by or on behalf of the owner, that the
14 label is still in use in the commonwealth, and the pay-
15 ment of a renewal fee of twenty-five dollars. The
16 secretary shall cancel any such certificate which is

17 not so renewed. This section shall apply to certifi-
18 cates of record issued at any time, whether before or
19 after its effective date.

1 SECTION 2. Chapter 110 of the General Laws is
2 hereby amended by inserting after section 8, as ap-
3 pearing in the Tercentenary Edition, the following
4 section: —

5 *Section 8A.* A recording of a label under the pro-
6 visions of the previous section shall be prima facie
7 evidence of the validity of the recording and of the
8 applicant's right to use the label in connection with
9 the goods or purposes specified in the certificate.