

S-3/3/97 Commerce
S-3/26/97 No Pass

FEB 18 1997
Place On Calendar

HOUSE FILE 275
BY COMMITTEE ON COMMERCE
AND REGULATION

(SUCCESSOR TO HSB 50)

Passed House, Date 3/3/97 ^(P.472) Passed Senate, Date 4-9-97 ^(P.1073)
Vote: Ayes 95 Nays 0 Vote: Ayes 37 Nays 0
Approved April 18, 1997

A BILL FOR

1 An Act relating to trademarks and service marks registered with
2 the secretary of state.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 275

1 Section 1. Section 548.103, unnumbered paragraph 5, Code
2 1997, is amended to read as follows:

3 The application shall be accompanied by ~~three-specimens~~ a
4 specimen showing the mark as actually used.

5 Sec. 2. Section 548.105, unnumbered paragraph 1, Code
6 1997, is amended to read as follows:

7 Upon compliance by the applicant with the requirements of
8 this chapter, the secretary shall ~~cause~~ issue and deliver a
9 certificate of registration to ~~be-issued-and-delivered-to~~ the
10 applicant. The certificate of registration shall be issued
11 under the signature and seal of the secretary~~7-and~~. The
12 certificate of registration shall show the name and business
13 address and, if a corporation, the state of incorporation, or
14 if a partnership, the state in which the partnership is
15 organized and the names of the general partners, as specified
16 by the secretary, of the person claiming ownership of the
17 mark~~7~~. The certificate of registration shall also show the
18 date claimed for the first use of the mark anywhere and the
19 date claimed for the first use of the mark in this state, the
20 class of goods or services and a description of the goods or
21 services on or in connection with which the mark is used, a
22 reproduction description of the mark, the registration date,
23 and the term of the registration.

24 EXPLANATION

25 This bill amends several provisions in chapter 548
26 regulating the registration and protection of marks such as
27 trademarks and service marks by the secretary of state. The
28 bill amends requirements regarding the application for
29 registration, by providing that the application must be
30 accompanied by one rather than three specimens showing the
31 mark. The bill also amends a provision relating the
32 certificate of registration issued by the secretary of state.
33 The bill provides that the certificate must show a description
34 rather than a reproduction of the registered mark.

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Hansen, Ch
Rants
Osterhaus

HSB 50
COMMERCE AND REGULATION

SENATE/HOUSE FILE ^S ^{By} (HF) 275
BY (PROPOSED SECRETARY OF
STATE BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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10 applicant. The certificate of registration shall be issued
11 under the signature and seal of the secretary, ~~and.~~ The
12 certificate of registration shall show the name and business
13 address and, if a corporation, the state of incorporation, or
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15 organized and the names of the general partners, as specified
16 by the secretary, of the person claiming ownership of the
17 mark. The certificate of registration shall also show the
18 date claimed for the first use of the mark anywhere and the
19 date claimed for the first use of the mark in this state, the
20 class of goods or services and a description of the goods or
21 services on or in connection with which the mark is used, a
22 ~~reproduction-of-the-mark~~, the registration date, and the term
23 of the registration.

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EXPLANATION

25 This bill amends several provisions in chapter 548
26 regulating the registration and protection of marks such as
27 trademarks and service marks by the secretary of state. The
28 bill amends requirements regarding the application for
29 registration, by providing that the application must be
30 accompanied by one rather than three specimens showing the
31 mark. The bill also amends a provision relating the
32 certificate of registration issued by the secretary of state.
33 The bill provides that the certificate no longer must show a
34 reproduction of the registered mark.

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reproduction description of the mark, the registration date,
and the term of the registration.

HOUSE FILE 275

AN ACT

RELATING TO TRADEMARKS AND SERVICE MARKS REGISTERED WITH THE
SECRETARY OF STATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 548.103, unnumbered paragraph 5, Code
1997, is amended to read as follows:

The application shall be accompanied by three-specimens a
specimen showing the mark as actually used.

Sec. 2. Section 548.105, unnumbered paragraph 1, Code
1997, is amended to read as follows:

Upon compliance by the applicant with the requirements of
this chapter, the secretary shall cause issue and deliver a
certificate of registration to ~~be issued and delivered to~~ the
applicant. The certificate of registration shall be issued
under the signature and seal of the secretary ~~and~~. The
certificate of registration shall show the name and business
address and, if a corporation, the state of incorporation, or
if a partnership, the state in which the partnership is
organized and the names of the general partners, as specified
by the secretary, of the person claiming ownership of the
mark. The certificate of registration shall also show the
date claimed for the first use of the mark anywhere and the
date claimed for the first use of the mark in this state, the
class of goods or services and a description of the goods or
services on or in connection with which the mark is used, a

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 275, Seventy-seventh General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved *April 18, 1997*

TERRY E. BRANSTAD
Governor