

# SENATE NO. 1914

## **AN ACT** MAKING TECHNICAL CORRECTIONS TO THE STATE TRADEMARKS ACT

*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 3 of chapter 110H of the General Laws, as appearing in chapter 195 of  
2 2006, is hereby amended by striking out paragraph (e) and inserting in place thereof the  
3 following paragraph:-

4 (e) The application shall be accompanied by 1 specimen showing the mark as actually used.

5 SECTION 2. Said chapter 110H is hereby further amended by adding the following section:-

6 Section 18. The intent of this chapter is to provide a system of state trademark registration and  
7 protection substantially consistent with the federal system of trademark registration and  
8 protection under the Trademark Act of 1946, as amended. To that end, the construction given  
9 the federal Act should be examined as persuasive authority for interpreting and construing this  
10 chapter to the extent of the consistency in the language.

11 SECTION 3. Paragraph (b) of section 4.01 of chapter 156D of the General Laws, as amended  
12 by section 3 of chapter 195 of 2006, is hereby further amended by striking out clause (6) and  
13 inserting in place thereof the following clause:-

14 (6) a trademark of service mark registered with the secretary of state under chapter 110B or  
15 110H.

16 SECTION 4. Subsection (b) of section 15.06 of said chapter 156D, as amended by section 4 of  
17 said chapter 195, is hereby further amended by striking out clause (6) and inserting in place  
18 thereof the following clause:-

19 (6) a trademark of service mark registered with the secretary of state under chapter 110B or  
20 110H.