

108TH CONGRESS  
2D SESSION

# H. R. 5194

To clarify that service marks, collective marks, and certification marks are entitled to the same protections, rights, and privileges of trademarks.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2004

Mr. SIMPSON (for himself, Mr. OTTER, Mr. PETERSON of Minnesota, and Mr. JENKINS) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To clarify that service marks, collective marks, and certification marks are entitled to the same protections, rights, and privileges of trademarks.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROTECTIONS, RIGHTS, AND PRIVILEGES OF**  
4 **SERVICE MARKS, COLLECTIVE MARKS, AND**  
5 **CERTIFICATION MARKS.**

6 The Act entitled “An Act to provide for the registra-  
7 tion and protection of trade-marks used in commerce, to  
8 carry out the provisions of certain international conven-  
9 tions, and for other purposes”, approved July 5, 1946

1 (commonly referred to as the Trademark Act of 1946) is  
2 amended—

3 (1) in section 3 (15 U.S.C. 1053) in the first  
4 sentence, by striking “protection” and inserting  
5 “protections, rights, and privileges”; and

6 (2) in section 4 (15 U.S.C. 1054) in the first  
7 sentence, by striking “protection” and inserting  
8 “protections, rights, and privileges”.

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