

108TH CONGRESS  
2D SESSION

# S. 2796

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2004

Referred to the Committee on the Judiciary

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## AN ACT

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,*

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

4 The Act entitled “An Act to provide for the registra-  
5 tion and protection of trade-marks used in commerce, to  
6 carry out the provisions of certain international conven-  
7 tions, and for other purposes”, approved July 5, 1946  
8 (commonly referred to as the Trademark Act of 1946) is  
9 amended—

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

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

Passed the Senate October 6, 2004.

Attest: EMILY J. REYNOLDS,  
*Secretary.*