

116TH CONGRESS  
1ST SESSION

# S. 963

To amend the Trademark Act of 1946 to provide for the registration of marks consisting of the flag, coat of arms, or other official insignia of the United States, any State or municipality, or any foreign nation.

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## IN THE SENATE OF THE UNITED STATES

APRIL 1, 2019

Ms. KLOBUCHAR (for herself, Mr. TILLIS, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Trademark Act of 1946 to provide for the registration of marks consisting of the flag, coat of arms, or other official insignia of the United States, any State or municipality, or any foreign nation.

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. SHORT TITLE.**

4 This Act may be cited as the “Fair Licensing Access  
5 for Governments Act of 2019” or the “FLAG Act of  
6 2019”.

1 **SEC. 2. REGISTRATION OF CERTAIN MARKS CONSISTING OF**  
2 **FLAGS, COATS OF ARMS, OR OTHER INSIGNIA.**

3 Section 2(b) of the Act entitled “An Act to provide  
4 for the registration and protection of trademarks used in  
5 commerce, to carry out the provisions of certain inter-  
6 national conventions, and for other purposes”, approved  
7 July 5, 1946 (commonly known as the “Trademark Act  
8 of 1946” or the “Lanham Act”) (15 U.S.C. 1052(b)), is  
9 amended by inserting “except by written consent of the  
10 competent authority” after “simulation thereof”.

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