CONGRESSIONAL RECORD

Proceedings and Debates of the [redacted] Congress

HOUSE

Senate

Bill: S. 1063
Remarks: Introduced

Date: Feb. 16, 1959
Page: 2080to 2081

REGISTRATION AND PROTECTION OF TRADEMARKS

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a bill to amend the act to provide for the registration and protection of trademarks used in commerce, and so forth.

This is a matter which has been before the Senate Judiciary Committee. In connection with the bill, I submit, and ask to have printed in the RECORD, a short statement, which I also ask unanimous consent to have appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD, and appropriately referred.

The bill (S. 1063) to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. DIRKSEN was referred to the Committee on the Judiciary, as follows:

STATEMENT BY SENATOR DIRKSEN

I have introduced, for appropriate reference, a bill to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office.

The proposal, which has the approval of the trademark committee of the Patent Law Association of Chicago, Ill., amends the act providing for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, etc., by providing that any person paying the prescribed fee may file with the Commissioner a declaration expressing his intent to use in commerce a particular mark.

It requires the declaration to contain a drawing of the mark and a specification of the goods in connection with which it is intended that such mark be used. It further directs the Commissioner, unless there is a registration or pending application for registration of the same mark, to publish in the official Gazette (a) the mark; (b) the specified goods or services; and (c) the name and address of the declarant.

The bill provides that during the 6 months period immediately following the date the Commissioner has published a mark pursuant to the foregoing, no application for the registration of such mark under the preceding provisions of this section on the part of any person, other than the person whose mark was published shall be acted upon by the Commissioner.

It permits more than one person to file a declaration with respect to a certain mark but prohibits the second and each succeeding publication of such mark from taking place until 6 months after the date of the last preceding publication of such mark, and sets the filing fee at $15.