

Sections 87A to 87N, inclusive, to be under the sub-title "Secretary of State," and the new sub-heading "Trade-marks," and to read as follows:

TRADE-MARKS

87A. (Definitions.) (a) The term "trade-mark" as used herein means any word, name, symbol, or device or any combination thereof adopted and used by a person to identify goods made or sold by him and to distinguish them from goods made or sold by others.

(b) The term "person" as used herein means any individual, firm, partnership, corporation, association, union or other organization.

(c) The term "applicant" as used herein embraces the person filing an application for registration of a trade-mark under this sub-heading, his legal representatives, successors or assigns.

(d) The term "registrant" as used herein embraces the person to whom the registration of a trade-mark under this sub-heading is issued, his legal representatives, successors or assigns.

(e) For the purposes of this sub-heading, a trade-mark shall be deemed to be "used" in this state when it is placed in any manner on the goods or their containers or on the tags or labels affixed thereto and such goods are sold or otherwise distributed in this state.

87B. (Registrability.) A trade-mark by which the goods of any applicant for registration may be distinguished from the goods of others shall not be registered if it

(1) consists of or comprises immoral, deceptive or scandalous matter; or

(2) consists of or comprises matter which may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute; or

(3) consists of or comprises the flag or coat of arms or other insignia of the United States, or of any state or municipality, or of any foreign nation, or any simulation thereof; or

(4) consists of or comprises the name, signature or portrait of any living individual, except with his written consent; or