

tary of State," subheading "Trade-Marks," and to add new Sections 90(f), (g) and (h), 94(f), 98(c), and 100A to said Article and subtitle of the Code to follow immediately after Sections 90(e), 94(e), 98(b), and 100, respectively, to define the terms "service mark," "mark," "trade name," to include services within the scope of the subheading, to substitute the term "mark" for "trade-mark," to specify the services included, to provide for injunctive relief in certain instances and to generally amend the laws relating to trade-marks.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 90(e), 91, 92(a), (c), 93(a), (b), 94(a), (b), (c), (e), 95, 96, 97(4), 98(a), (b), 99, 100, 101(a), and 102 of Article 41 of the Annotated Code of Maryland (1965 Replacement Volume), title "Executive and Administrative Departments," subtitle "Secretary of State," subheading "Trade-Marks," be and they are hereby repealed and re-enacted, with amendments; and that new Sections 90(f), (g) and (h), 94(f), 98(c) and 100A be and they are hereby added to said Article and subtitle of the Code, to follow immediately after Sections 90(e), 94(e), 98(b) and 100, respectively, and all to read as follows:

90.

~~(e)~~(H) For the purposes of this subheading, a trade-mark shall be deemed to be "used" in this State *(a) on goods* when it is placed in any manner on the goods or their containers or *the displays associated therewith* or on the tags or labels affixed thereto and such goods are sold or otherwise distributed in this State, *(b) or services when it is used or displayed in the sale or advertising of services and the services are rendered in this State.*

~~(f)~~(B) *The term "service mark" as used herein means a mark used in the sale of OR advertising of services to identify the services of one person and distinguish them from the services of others.*

~~(g)~~(C) *The term "mark" as used herein includes any trademark or service mark entitled to registration under this subheading whether registered or not.*

~~(h)~~(D) *The term "trade name" means a word, name, symbol, device or any combination thereof used by a person to identify his business, vocation or occupation and distinguish it from the business, vocation or occupation of others.*

91.

A [trade-mark] mark by which the goods or services of any applicant for registration may be distinguished from the goods or services 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