

*mark* in the office of the Secretary of State under the provisions hereof, by knowingly making any false or fraudulent representation or declaration, verbally or in writing, or by any other fraudulent means, shall be liable to pay all damages sustained in consequence of such filing or registration, to be recovered by or on behalf of the party injured thereby in any court of competent jurisdiction.

100.

Subject to the provisions of Section 102 hereby any person who shall:

(1) Use, without the consent of the registrant any reproduction, counterfeit, copy or colorable imitation of a **[trade-mark]** *mark* registered under this subheading in connection with the sale, offering for sale, or advertising of any goods *or services* on or in connection with which such use is likely to cause confusion or mistake or to deceive as to the source of origin of such goods *or services*; or

(2) Reproduce, counterfeit, copy or colorably imitate any such **[trade-mark]** *mark* and apply such reproduction, counterfeit, copy or colorable imitation to labels, signs, prints, packages, wrappers, receptacles, or advertisements intended to be used upon or in conjunction with the sale or other distribution in this State of such goods *or services*; shall be liable to a civil action by the owner of such registered **[trade-mark]** *mark* for any or all of the remedies provided in Section 101 hereof, except that under paragraph (2) hereof the registrant shall not be entitled to recover profits or damages unless the acts have been committed with knowledge that such **[trade-mark]** *mark* is intended to be used to cause confusion or mistake or to deceive.

~~100A.~~

*Likelihood of injury to business reputation or of dilution of the distinctive quality of a mark registered under this subheading, or a mark valid at common law, or a trade name valid at common law, shall be ground for injunctive relief notwithstanding the absence of competition between the parties or the absence of confusion as to the source of goods or services.*

101.

(a) Any owner of a **[trade-mark]** *mark* registered under this subheading may proceed by suit to enjoin the manufacture, use, display or sale of any counterfeits or imitations thereof and any court of competent jurisdiction may grant injunctions to restrain such manufacture, use, display or sale as may be by the said court deemed just and reasonable, and may require the defendants to pay to such owner all profits derived from and/or all damages suffered by reason of such wrongful manufacture, use, display or sale; and such court may also order that any such counterfeits or imitations in the possession or under the control of any defendant in such case, be delivered to an officer of the court, or to the complainant, to be destroyed.

102.

Nothing herein shall adversely affect the rights or the enforcement of rights in **[trade-marks]** *marks* required in good faith at any time at common law.