

The clarification was suggested by the Michie Company.

3-104.

(a) Upon compliance by the applicant with the requirements of this [subheading] SUBTITLE, the Secretary of State shall cause a certificate of registration to be issued and delivered to the applicant. The certificate of registration shall be issued under the signature of the Secretary of State and the seal of the State, and it shall show the name and business and address, if a corporation, the state of incorporation, of the person claiming ownership of the mark, the date claimed for the first use of the mark anywhere and the date claimed for the first use of the mark in this State, the class of goods or services and a description of the goods or service on which the mark is used, a reproduction of the mark, the registration date and the term of the registration.

(c) Before the Secretary of State decides that an applicant has not complied with the requirements of this [subheading] SUBTITLE and for that reason may not be issued a certificate of registration, he shall provide the applicant an opportunity to appear personally before him in order to explain the apparent noncompliance with such requirements.

3-105.

(e) The Secretary of State shall within six months after June 1, 1954, notify all registrants of marks under previous acts of the date of expiration of such registrations unless renewed in accordance with the provisions of this [subheading] SUBTITLE by writing to the last known address of the registrants.

(f) All applications for renewals under this [subheading] SUBTITLE, whether of registrations made under this [subheading] SUBTITLE or of registrations effected under any prior act, shall include a statement that the mark is still in use in this State.

3-106.

Any mark and its registration hereunder shall be assignable with the good will of the business in which the mark is used, or with that part of the good will of the business connected with the use of and symbolized by the mark. Assignment shall be by instruments in writing duly executed and may be recorded with the Secretary of State upon the payment of a fee of five dollars (\$5.00) payable to the Secretary of State who, upon recording of the assignment, shall issue in the name of the assignee a new certificate for the remainder of the term of the registration or of the last renewal thereof. An assignment of any registration under this [subheading] SUBTITLE shall be void as against any subsequent purchaser for valuable consideration without notice unless it is recorded with the Secretary of State within three