

The word "acquired" is substituted for the former word "required" to correct a typographical error in former Art. 41, § 3-113. As originally enacted by Ch. 63, § 1, Acts of 1954, former Art. 41, § 3-113 used the term "acquired". The error occurred when another part of former Art. 41, § 3-113 was amended by Ch. 751, Acts of 1967.

Defined term: "Mark" § 1-401

#### 1-403. RECORDS.

THE SECRETARY OF STATE SHALL KEEP A PUBLIC RECORD OF THE MARKS REGISTERED UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 3-107.

The former reference to keeping a record of marks that are "renewed" is deleted as included in a record of each mark that is "registered".

Defined term: "Mark" § 1-401

#### 1-404. REGISTRATION AUTHORIZED.

##### (A) IN GENERAL.

IF A PERSON USES A MARK IN THE STATE, THE PERSON MAY REGISTER THE MARK IN ACCORDANCE WITH THIS SUBTITLE.

##### (B) EXCEPTIONS.

A PERSON MAY NOT REGISTER A MARK THAT:

- (1) IS DECEPTIVE, IMMORAL, OR SCANDALOUS;
- (2) MAY DISPARAGE, FALSELY SUGGEST A CONNECTION WITH, OR BRING INTO CONTEMPT OR DISREPUTE:
  - (I) A BELIEF;
  - (II) AN INDIVIDUAL, LIVING OR DEAD;
  - (III) AN INSTITUTION; OR
  - (IV) A NATIONAL SYMBOL;
- (3) IS, SIMULATES, OR INCLUDES A COAT OF ARMS, FLAG, OR OTHER INSIGNIA OF A GOVERNMENT;
- (4) IS OR INCLUDES THE NAME, PORTRAIT, OR SIGNATURE OF A LIVING INDIVIDUAL, EXCEPT WITH THE WRITTEN CONSENT OF THE INDIVIDUAL; OR
- (5) IS LIKELY, WHEN APPLIED TO THE GOODS OR SERVICES OF THE PERSON, TO CONFUSE OR DECEIVE BECAUSE THE MARK RESEMBLES: