

110TH CONGRESS
1ST SESSION

S. 1806

To restore to the judiciary the power to decide all trademark and trade name cases arising under the laws and treaties of the United States by repealing the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, and commercial names and impediments to registration of such marks, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 17, 2007

Mr. LEAHY (for himself, Mr. CRAIG, Mr. BINGAMAN, and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To restore to the judiciary the power to decide all trademark and trade name cases arising under the laws and treaties of the United States by repealing the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, and commercial names and impediments to registration of such marks, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Judicial Powers Res-
3 toration Act of 2007”.

4 **SEC. 2. PURPOSE.**

5 The purpose of this Act is to restore to the judiciary
6 the power to decide all trademark and trade name cases
7 arising under the laws and treaties of the United States
8 by repealing the prohibition on recognition by United
9 States courts of certain rights relating to certain marks,
10 trade names, and commercial names and impediments to
11 registration of such marks.

12 **SEC. 3. REPEAL.**

13 (a) IN GENERAL.—Section 211 of the Department of
14 Commerce and Related Agencies Appropriations Act,
15 1999 (as contained in section 101(b) of division A of Pub-
16 lic Law 105–277; 112 Stat. 2681–88) is repealed.

17 (b) REGULATIONS.—Not later than 30 days after the
18 date of enactment of this Act, the Secretary of the Treas-
19 ury shall issue such regulations as are necessary to carry
20 out the repeal made by subsection (a), including removing
21 or revoking any prohibition on transactions or payments
22 to which subsection (a)(1) of section 211 of the Depart-
23 ment of Commerce and Related Agencies Appropriations
24 Act, 1999 applied.

○