

114TH CONGRESS
1ST SESSION

S. 328

To amend the Trademark Act of 1946 to provide for the registration of marks consisting of a flag, coat of arms, or other insignia of the United States, or any State or local government, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2015

Ms. KLOBUCHAR (for herself, Mr. LEE, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Trademark Act of 1946 to provide for the registration of marks consisting of a flag, coat of arms, or other insignia of the United States, or any State or local government, 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,*

3 **SECTION 1. REGISTRATION OF CERTAIN MARKS OF THE**
4 **UNITED STATES AND STATE AND LOCAL GOV-**
5 **ERNMENTS.**

6 Section 2(b) of the Act entitled “An Act to provide
7 for the registration and protection of trademarks used in
8 commerce, to carry out the provisions of certain inter-

1 national conventions, and for other purposes”, approved
2 July 6, 1946 (commonly referred to as the “Trademark
3 Act of 1946”; 15 U.S.C. 1052(b)), is amended by insert-
4 ing after “simulation thereof” the following: “, except that
5 this subsection shall not prevent the United States, or any
6 State, municipality, county, political subdivision, or other
7 governmental authority in the United States, from obtain-
8 ing registration under this Act of any mark that consists
9 of or comprises its own flag, coat of arms, or other official
10 insignia”.

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