

## **IC 32-34-7**

### **Chapter 7. Transfer of Property Interests in Silk Screens**

#### **IC 32-34-7-1**

##### **Inapplicability**

Sec. 1. (a) This chapter does not apply where a silk screen maker or silk screen user retains title to and possession of a silk screen.

(b) This chapter does not grant a customer any rights or title to or interest in a silk screen.

*As added by P.L.2-2002, SEC.19.*

#### **IC 32-34-7-2**

##### **"Customer" defined**

Sec. 2. As used in this chapter, "customer" means an individual or entity that causes another individual or entity to make a silk screen or to use a silk screen to manufacture, assemble, or make a product.

*As added by P.L.2-2002, SEC.19.*

#### **IC 32-34-7-3**

##### **"Silk screen maker" defined**

Sec. 3. As used in this chapter, "silk screen maker" means an individual or entity that makes a silk screen.

*As added by P.L.2-2002, SEC.19.*

#### **IC 32-34-7-4**

##### **"Silk screen user" defined**

Sec. 4. As used in this chapter, "silk screen user" means an individual or entity that uses a silk screen to manufacture, assemble, or make a product.

*As added by P.L.2-2002, SEC.19.*

#### **IC 32-34-7-5**

##### **Transfer of customer's rights, title, and interest**

Sec. 5. If a customer does not take possession of the customer's silk screen from a silk screen maker or silk screen user within three (3) years after the silk screen's last use, the customer's rights, title, and interest in the customer's silk screen are transferred to the silk screen maker or silk screen user pursuant to the procedures of this chapter for purposes of destruction of the silk screen.

*As added by P.L.2-2002, SEC.19.*

#### **IC 32-34-7-6**

##### **Notice to customer of transfer; requisites**

Sec. 6. (a) After the three (3) year period specified in section 5 of this chapter has expired, a silk screen maker or silk screen user may choose to have all rights, title, and interest in any silk screen transferred to the silk screen maker or silk screen user for purposes of destruction. A silk screen maker or silk screen user seeking a

transfer under this subsection must send written notice by registered mail, return receipt requested, to:

- (1) the customer's address as set out in any written agreement between the silk screen maker or silk screen user and the customer; and
- (2) the customer's last known address;

indicating that the silk screen maker or silk screen user intends to terminate the customer's rights, title, and interest by having all the rights, title, and interest transferred to the silk screen maker or silk screen user under this chapter.

(b) If a customer:

- (1) does not take possession of the particular silk screen within ninety (90) days after the date on which the notice was sent under subsection (a); or
- (2) does not make other contractual arrangements with the silk screen maker or silk screen user for taking possession or for storage of the silk screen;

all rights, title, and interest of the customer to the silk screen transfer by operation of this chapter to the silk screen maker or silk screen user for the purpose of destruction. The silk screen maker or silk screen user may then destroy the silk screen.

*As added by P.L.2-2002, SEC.19.*

#### **IC 32-34-7-7**

##### **Agreements and patents, copyrights, or unfair competition laws not affected by chapter**

Sec. 7. This chapter does not affect:

- (1) a written agreement between the silk screen maker or silk screen user and the customer concerning possession of the silk screen; or
- (2) any rights of the customer under federal patent or copyright law or any state or federal law pertaining to unfair competition.

*As added by P.L.2-2002, SEC.19.*

#### **IC 32-34-7-8**

##### **Commencement of time period**

Sec. 8. For silk screens in existence on June 1, 1983, the three (3) year period specified in this chapter begins on the last date that the silk screen was used, regardless of whether that date was before June 1, 1983.

*As added by P.L.2-2002, SEC.19.*