

**CHAPTER 22—TRADEMARKS****SUBCHAPTER I—THE PRINCIPAL REGISTER**

- Sec.  
1051. Application for registration; verification.  
1052. Trademarks registrable on principal register; concurrent registration.  
1053. Service marks registrable.  
1054. Collective marks and certification marks registrable.  
1055. Use by related companies affecting validity and registration.  
1056. Disclaimer of unregistrable matter.  
1057. Certificates of registration.  
1058. Duration, affidavits and fees.  
1059. Renewal of registration.  
1060. Assignment.  
1061. Execution of acknowledgments and verifications.  
1062. Publication.  
1063. Opposition to registration.  
1064. Cancellation of registration.  
1065. Incontestability of right to use mark under certain conditions.  
1066. Interference; declaration by Director.  
1067. Interference, opposition, and proceedings for concurrent use registration or for cancellation; notice; Trademark Trial and Appeal Board.  
1068. Action of Director in interference, opposition, and proceedings for concurrent use registration or for cancellation.  
1069. Application of equitable principles in inter partes proceedings.  
1070. Appeals to Trademark Trial and Appeal Board from decisions of examiners.  
1071. Appeal to courts.  
1072. Registration as constructive notice of claim of ownership.

**SUBCHAPTER II—THE SUPPLEMENTAL REGISTER**

1091. Supplemental register.  
1092. Publication; not subject to opposition; cancellation.  
1093. Registration certificates for marks on principal and supplemental registers to be different.  
1094. Provisions of chapter applicable to registrations on supplemental register.  
1095. Registration on principal register not precluded.  
1096. Registration on supplemental register not used to stop importations.

**SUBCHAPTER III—GENERAL PROVISIONS**

1111. Notice of registration; display with mark; recovery of profits and damages in infringement suit.  
1112. Classification of goods and services; registration in plurality of classes.  
1113. Fees.  
1114. Remedies; infringement; innocent infringement by printers and publishers.  
1115. Registration on principal register as evidence of exclusive right to use mark; defenses. Injunctive relief.  
1116. Recovery for violation of rights.  
1117. Destruction of infringing articles.  
1118. Power of court over registration.  
1119. Civil liability for false or fraudulent registration.  
1120. Jurisdiction of Federal courts; State and local requirements that registered trademarks be altered or displayed differently; prohibition.  
1121a. Transferred.  
1122. Liability of United States and States, and instrumentalities and officials thereof.  
1123. Rules and regulations for conduct of proceedings in Patent and Trademark Office.

- Sec.  
1124. Importation of goods bearing infringing marks or names forbidden.  
1125. False designations of origin, false descriptions, and dilution forbidden.  
1126. International conventions.  
1127. Construction and definitions; intent of chapter.  
1128. Repealed.  
1129. Transferred.

**SUBCHAPTER IV—THE MADRID PROTOCOL**

1141. Definitions.  
1141a. International applications based on United States applications or registrations.  
1141b. Certification of the international application.  
1141c. Restriction, abandonment, cancellation, or expiration of a basic application or basic registration.  
1141d. Request for extension of protection subsequent to international registration.  
1141e. Extension of protection of an international registration to the United States under the Madrid Protocol.  
1141f. Effect of filing a request for extension of protection of an international registration to the United States.  
1141g. Right of priority for request for extension of protection to the United States.  
1141h. Examination of and opposition to request for extension of protection; notification of refusal.  
1141i. Effect of extension of protection.  
1141j. Dependence of extension of protection to the United States on the underlying international registration.  
1141k. Duration, affidavits and fees.  
1141l. Assignment of an extension of protection.  
1141m. Incontestability.  
1141n. Rights of extension of protection.

**EFFECTIVE DATE**

This chapter, act July 5, 1946, ch. 540, 60 Stat. 427, became effective one year from July 5, 1946, and repealed chapter 3 of this title as of that date. See notes under section 1051 of this title.

**PRIOR LAWS**

The Trade-Mark Act of 1905 superseded the Trade-Mark Act of Mar. 3, 1881, ch. 138, 21 Stat. 502, entitled "An Act to authorize the registration of trade-marks and protect the same," and also act Aug. 5, 1882, ch. 393, 22 Stat. 298, entitled "An Act relating to the registration of trade marks". Former section 109 of this title repealed all inconsistent acts and parts of acts, except so far as they might apply to certificates of registration issued under the Trade-Mark Act of Mar. 3, 1881, ch. 138, and act Aug. 5, 1882, ch. 393.

**SUBCHAPTER I—THE PRINCIPAL REGISTER****§ 1051. Application for registration; verification****(a) Application for use of trademark**

(1) The owner of a trademark used in commerce may request registration of its trademark on the principal register hereby established by paying the prescribed fee and filing in the Patent and Trademark Office an application and a verified statement, in such form as may be prescribed by the Director, and such number of specimens or facsimiles of the mark as used as may be required by the Director.

(2) The application shall include specification of the applicant's domicile and citizenship, the date of the applicant's first use of the mark, the date of the applicant's first use of the mark in commerce, the goods in connection with which the mark is used, and a drawing of the mark.