

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

PASSED BY THE

FORTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1866.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1866.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1866.

Chapter 10.

CHAP. 10.

An act for the prevention of the unauthorized use of trade marks and names.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. When a person uses any peculiar name, letters, marks, device or figures, cut, stamped, cast or engraved upon, or in any manner attached to or connected with any article manufactured or sold by him, to designate it as an article of a peculiar kind, character or quality, or as manufactured by him, no other person, without his consent, shall use the same or any similar names, letters, marks, devices or figures, for the purpose of falsely representing any articles to have been manufactured by, or to be of the same kind, character or quality, as that manufactured or sold by the person rightfully using such name, letters, mark, device or figure.

Trade marks, in connection with manufactures, &c.

Unlawful use of, prohibited.

SECT. 2. Whoever violates the provisions of the preceding section, or knowingly sells, or exposes for sale, any article having any name, letters, mark, device or figure attached to or connected with it, in violation of the preceding section, shall be liable to any party aggrieved thereby for all damages actually incurred, to be recovered in an action of tort.

Violations, penalty for, &c

SECT. 3. No person carrying on business in this state, shall assume, or continue to use in his business the name or names of any persons formerly connected with him in partnership, or of any other person, either alone, or in connection with his own or any other name, or designation, which has been used as aforesaid, without the consent, in writing, of such person or his legal representatives.

Business names, unauthorized use of prohibited.

SECT. 4. The supreme judicial court may restrain, by injunction, any use of trade marks or names, in violation of the provisions of this act.

S. J. C. may issue injunctions.

Approved February 10, 1866.

Chapter 11.

An act to regulate the holding of sessions of the supreme judicial court for the trial of criminal cases.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The January term of the supreme judicial court for the county of Waldo, shall be held for the trial of criminal cases as well as civil cases.

January term to include trial of criminal cases.

SECT. 2. All acts inconsistent with this act are hereby repealed.

Approved February 14, 1866.