

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1963 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 4

Discard Previous Supplement

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1963

the state paper, for 2 weeks successively, the first publication to be within 20 days thereafter. If not so published, or if upon every renewal or continuance of such partnership beyond the time originally fixed for its duration a certificate is not made, signed, acknowledged, recorded and published, it shall be deemed a general one. (R. S. c. 167, § 13. 1961, c. 102.)

Effect of amendment.—The 1961 amendment divided this section into two sentences, substituted “2” for “6” near the end of the present first sentence and made other minor changes.

Sec. 24. Prosecution of actions relating to partnership business.—Actions respecting the business of such partnership shall be commenced and prosecuted by and against the general partners only, except in those cases in which provision is hereinbefore made, that special partners shall be deemed general partners, and special partnerships, general partnerships; in which cases all the partners deemed general partners may join or be joined in such actions. (R. S. c. 167, § 16. 1961, c. 317, § 623.)

Effect of amendment.—The 1961 amendment substituted “actions” for “suits” at the beginning and at the end of this section.

Sec. 26. Limited partners same as general.—In all cases not otherwise provided for herein, the members of limited partnerships are subject to the liabilities and entitled to the immunities incident to general partnerships, and the superior court may hear and determine in civil actions all questions between copartners in any partnership formed by virtue of this chapter, and between said copartners and any creditors of the firm. (R. S. c. 167, § 18. 1961, c. 317, § 624.)

Effect of amendment.—The 1961 amendment substituted “superior court may hear and determine in civil actions” for “supreme judicial court and the superior court may hear and determine in equity” in this section.

Chapter 182.

Trade-Marks and Trade Names.

Sec. 3. Damages.—Whoever violates section 2 is liable to any party aggrieved thereby for all damages actually incurred, to be recovered in a civil action. (R. S. c. 168, § 3. 1961, c. 317, § 625.)

Effect of amendment.—The 1961 amendment substituted “section 2” for “the provisions of the preceding section” near the beginning of this section and “a civil action” for “an action on the case” at the end thereof.

Sec. 5. Injunctions.—The superior court may restrain by injunction any use of trade-marks or names in violation of sections 1 to 4. (R. S. c. 168, § 5. 1963, c. 414, § 152.)

Effect of amendment.—The 1963 amendment deleted “supreme judicial court or the” and substituted “sections 1 to 4” for “the foregoing provisions.”

Sec. 14. Security interests in trademarks.—Nothing contained in this chapter shall control the manner of obtaining a security interest in a trademark or the necessity for filing or recording to protect or perfect any such security interest, whether it is obtained by an assignment or otherwise. (1963, c. 362, § 33-A.)

Effective date.—Section 43, c. 362, P. L. 1963, makes the act effective December 31, 1964.