

MAINE STATE LEGISLATURE

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DOCUMENTS

PUBLISHED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1866.



AUGUSTA:
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1866.

FORTY-FIFTH LEGISLATURE.

HOUSE.

No. 15.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-SIX.

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 :

SECTION 1. When a person uses any peculiar name, 2 letters, marks, device or figures, cut, stamped, cast 3 or engraved upon, or in any manner attached to or 4 connected with any article manufactured or sold by 5 him to designate it as an article of a peculiar kind, 6 character or quality, or as manufactured by him, no 7 other person without his consent, shall use the same 8 or any similar names, letters, marks, devices or fig- 9 ures, for the purpose of falsely representing any arti- 10 cle to have been manufactured by, or to be of the same

11 kind, character or quality, as that manufactured, or
12 sold by, the person rightfully using such name, letters,
13 mark, device or figure.

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

SECT. 3. No person carrying on business in this
2 state shall assume or continue to use in his business
3 the name or names of any person formerly connected
4 with him in partnership, or of any other person, either
5 alone or in connection with his own, or any other name
6 or designation, without the consent in writing, of such
7 person, or his legal representative.

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

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 1, 1866. }

Reported by Mr. GARNSEY, from the Committee on the Judiciary, and under rule, 350 copies ordered to be printed.

F. M. DREW, *Clerk.*