

# MAINE STATE LEGISLATURE

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172  
R. & S.

L.D. 1639

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DATE: May 19, 1997

(Filing No. S-259 )

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**JUDICIARY**

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Reported by: Senator Longley

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**STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
FIRST SPECIAL SESSION**

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COMMITTEE AMENDMENT "A " to S.P. 534, L.D. 1639, Bill, "An Act to Amend the Corporate Laws"

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Amend the bill in section 1 in subsection 2 by striking out all of paragraph D and inserting in its place the following:

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'D. A statement that to the best of the applicant ~~applicant's believes-himself-to-be~~ knowledge and belief, the applicant is the owner of the mark and that no other person ~~to-the-best-of-his-knowledge-and-belief~~ has the right to use the mark in this State as a mark or as a trade name or as a corporate name either in the identical form thereof or in such near resemblance thereto as to be likely, when applied to the goods or services of the other person, to cause confusion or to cause mistake or to deceive.'

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Further amend the bill in section 71 in the first line (page 17, line 28 in L.D.) by inserting after the following: "§§1," the following: '7,'

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Further amend the bill in section 71 by inserting after subsection 1 the following:

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'7. **Penalty.** Except as provided in section 875 ~~874~~, as a penalty prior to being reinstated as a registered limited liability partnership under section 808, a fee of \$100;'

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Further amend the bill by inserting at the end before the summary the following:

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**FISCAL NOTE**

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This bill will have an insignificant impact on the collection of General Fund revenue by the Department of the Secretary of State for the biennium. The additional General Fund revenue generated by establishing fees for conducting name searches will be approximately offset by reductions of General Fund revenue from lower fees for assumed name filings for certain foreign corporations and from lower fees charged to certain foreign limited liability partnerships.'

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**SUMMARY**

This amendment clarifies language concerning the use of marks, trade names and corporate names. It also corrects a cross-reference and adds a fiscal note to the bill.