

**ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012**  
**COMMITTEE STATEMENT**  
**LB886**

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**Hearing Date:** Monday January 23, 2012  
**Committee On:** Banking, Commerce and Insurance  
**Introducer:** Schumacher  
**One Liner:** Change provisions relating to trademarks and trade names

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	6	Senators Christensen, Gloor, McCoy, Pahls, Pirsch, Schumacher
<b>Nay:</b>		
<b>Absent:</b>	2	Senators Langemeier, Schilz
<b>Present Not Voting:</b>		

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**Proponents:**

Senator Paul Schumacher  
Colleen Byelick

**Representing:**

Introducer  
Secretary of State

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

This bill would amend sections 87-130, 87-132, and 87-134 of the Trademark Registration Act and sections 87-210 and 87-211 of the trade name registration statutes. The acts are administered by the Secretary of State.

Section 1 would amend section 87-130 to provide that an application for registration of a trademark shall include the state of organization of applicants that are business entities other than corporations and partnerships. (Corporations and partnerships are currently addressed in this section.)

Section 2 would amend section 87-132 to provide that a certificate of registration of a trademark shall show the state of organization of registrants that are business entities other than corporations and partnerships. (Corporations and partnerships are currently addressed in this section.)

Section 3 would amend section 87-134 to provide that a trademark registrant or applicant may record a change of address or state of incorporation or organization upon payment of the recording fee. This section would provide that a registrant or an applicant may be required to submit documented proof of its name change at the discretion of the Secretary of State. This section would also provide that a registration filed before a change in the trademark laws may be amended to comply with current law upon payment of a recording fee.

Section 4 would amend section 87-210 to provide that an application for registration of a trade name shall set forth the state of incorporation of applicants that are business entities other than corporations. (Corporations are currently addressed in this section.)

Section 5 would amend section 87-211 to provide that a trade name registrant may file a statement of change of its

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name, street address, and, if a corporation or other business entity, its state of incorporation or organization upon paying a fee of ten dollars. This section would also provide that a trade name registrant may be required to submit documented proof of its name change at the discretion of the Secretary of State.

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Rich Pahls, Chairperson