



Senate Fiscal Agency
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Senate Bill 1035 (as reported without amendment)
Sponsor: Senator Huizenga
Committee: Regulatory Reform

CONTENT

The bill would amend Public Act 242 of 1969, which governs the registration of trademarks and service marks, to modify the definition of "trademark," "service mark," and other terms.

Under the Act, "trademark" means any word, name, symbol, or device, or any combination thereof, other than a trade name in its entirety, adopted and used by a person to identify goods made or sold by him or her to distinguish them from similar goods made or sold by others. Instead, "trademark" would mean any word, name, symbol, or device, or any combination of words, names, symbols, or devices, used by a person to identify goods made or sold by that person and to distinguish them from similar goods made or sold by others.

"Service mark" means any word, name, symbol, or device, or any combination thereof, other than a trade name in its entirety, adopted and used by a person in the sale or advertising of services to identify his or her services and distinguish them from the similar services of others. Instead, "service mark" would mean any word, name, symbol, or device, or any combination of words, names, symbols, or devices, used by a person in the sale or advertising of services to identify the services of a person and distinguish them from the similar services of others.

Under the Act, "person" means any individual, firm, partnership, corporation, association, union, or other organization. The bill would add LLC to the definition of "person".

"Trade name" means a word or group of words used by any person to identify sole proprietorship, firm, partnership, corporation, association, union, or other organization. Under the bill, the term also would mean a group of words used by a person to identify an LLC.

MCL 429.31

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-31-22

Fiscal Analyst: Elizabeth Raczkowski