

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

717R0452

HOUSE STATE AFFAIRS

ENGROSSED NO. **SB 139** - 3/8/2010

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Vehle, Brown, Fryslie, Garnos, and Rhoden and Representatives Hamiel, Brunner, Carson, Cronin, Krebs, Lust, McLaughlin, and Street

1 FOR AN ACT ENTITLED, An Act to permit the secretary of state to cancel a trademark or
2 service mark registration under certain conditions.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 37-6-18 be amended to read as follows:

5 37-6-18. The secretary of state shall cancel from the register any registration ~~concerning~~ for
6 which the secretary of state ~~shall receive~~ has received a voluntary request for cancellation
7 ~~thereof~~ from the registrant or the assignee of record. The secretary of state, upon notice to the
8 registrant, may cancel from the register any registration that the secretary of state granted in the
9 previous one hundred eighty days upon a finding that:

10 (1) The registration was granted improperly or in error; or

11 (2) The registration was obtained fraudulently.

12 If the registrant objects, a hearing shall be conducted pursuant to chapter 1-26.

