

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 8 - 0 - 2
Yeas: Barton, Cameron, Garrett, Krieger, Olson, Smith J., Whisnant, Barker
Nays: 0
Exc.: Shields, Stiegler
Prepared By: Lisa Nuss, Counsel
Meeting Dates: 5/22

WHAT THE MEASURE DOES: Updates Oregon law related to trademarks, service marks and trade names. Brings Oregon statutes in line with federal law and 2007 revisions to the Model State Trademark Bill.

ISSUES DISCUSSED:

- Many Oregon businesses, both large and small, support the bill
- Bill includes Secretary of State's recommendations to modernize trademark registration process
- Harmonizes state and federal law

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: This bill was proposed by a work group comprised of Oregon intellectual property attorneys and law professors, along with representatives from the Secretary of State and Department of Justice. The group's recommendations largely track the Model State Trademark Bill, with some adaptations requested by work group members. Oregon's current trademark statute is based on an earlier version of the model bill.

The proposed changes focus primarily on three areas of trademark law: (1) Registration, (2) infringement and remedies, and (3) dilution of famous marks, caused by use of similar marks.