REGISTRATION OF NAMES AND INSIGNIA

Act 281 of 1927

AN ACT to provide for the registration and protection of the names, badges, buttons, decorations, charms, emblems, rosettes and other insignia of associations, lodges, orders, fraternal societies, beneficial societies, or fraternal and beneficial societies or associations, historical, military or veterans' organizations, labor union, foundation, federation, or any other society, organization or association, degree, branch, subordinate lodge or auxiliary thereof; to prohibit the wearing, exhibition, display or use of the same by any person not entitled to wear, exhibit, display or use the same, and fixing a penalty for the violation of this act.

History: 1927, Act 281, Eff. Sept. 5, 1927

The People of the State of Michigan enact:

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430.1 Registration or insignia of certain organizations; alteration or cancellation by reregistration; "administrator" defined.

Sec. 1.

(1) Any association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge or auxiliary thereof, whether incorporated or unincorporated, may register in the office of the administrator, a facsimile, duplicate, or description of its name, badge, button, decoration, charm, emblem, rosette, or other insignia, and may by reregistration, alter or cancel the same.

(2) As used in this act, "administrator" means the director of commerce or his or her designated representative.

History: 1927, Act 281, Eff. Sept. 5, 1927 ;-- CL 1929, 8977 ;-- CL 1948, 430.1 ;-- Am. 1984, Act 183, Eff. Oct. 1, 1984

430.2 Application for registration; blanks.

Sec. 2.

Application for such registration shall be made by the chief officer or officers of said association, lodge, order, fraternal society, beneficial association or fraternal and beneficial society or association, historical, military or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge or auxiliary thereof, upon blanks to be provided by the administrator, and such registration shall be for the use, benefit, and on behalf of all associations, degrees, branches, subordinate lodges and auxiliaries of said association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge or auxiliary thereof and the individual members and those who thereafter become members thereof, throughout the state of Michigan.

History: 1927, Act 281, Eff. Sept. 5, 1927 ;-- CL 1929, 8978 ;-- CL 1948, 430.2 ;-- Am. 1984, Act 183, Eff. Oct. 1, 1984

430.3 Record of registrations.

Sec. 3.

The administrator shall keep a properly indexed record of the registrations provided for by this act, which record shall also show any altered or canceled registration.

History: 1927, Act 281, Eff. Sept. 5, 1927 ;-- CL 1929, 8979 ;-- CL 1948, 430.3 ;-- Am. 1984, Act 183, Eff. Oct. 1, 1984

430.4 Registration of name and insignia of certain organizations; disallowance.

Sec. 4.

No registration shall be granted to any association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization or association, degree, branch, subordinate lodge or auxiliary thereof, having a name, badge, button, decoration, charm, emblem, rosette or other insignia similar to, imitating or so nearly resembling as to be calculated to deceive, any other name, badge, button, decoration, charm, emblem, rosette or other insignia whatsoever, already registered pursuant to the provisions of this act.

History: 1927, Act 281, Eff. Sept. 5, 1927 ;-- CL 1929, 8980 ;-- CL 1948, 430.4

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430.5 Certificate.

Sec. 5.

Upon granting registration as aforesaid, the administrator shall issue a certificate to the petitioners, showing that a search of his or her records fails to disclose any conflict between the name, badge, button, decoration, charm, emblem, rosette, or other insignia proposed to be registered, and any other name, badge, button, decoration, charm, emblem, rosette, or other insignia registered pursuant thereto.

History: 1927, Act 281, Eff. Sept. 5, 1927 ;-- CL 1929, 8981 ;-- CL 1948, 430.5 ;-- Am. 1984, Act 183, Eff. Oct. 1, 1984

430.6 Wilful unauthorized use of insignia; penalty.

Sec. 6.

Any person who shall wilfully wear, exhibit, display, or use for any purpose, the badge, button, decoration, charm, emblem, rosette or other insignia of any such association or organization herein mentioned, duly registered hereunder, unless he or she shall be entitled to use and wear the same under the constitution and by-laws, rules and regulations of such association and organization, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding 100 dollars, and in default of payment, committed to jail for a period of not to exceed 60 days.

History: 1927, Act 281, Eff. Sept. 5, 1927 ;-- CL 1929, 8982 ;-- CL 1948, 430.6

430.7 Fees; payment; disposition.

Sec. 7.

There shall be paid to the administrator the sum of $5.00 for each registration and search made by him or her and certificates thereof issued, pursuant to the provisions of this act. The sum of $5.00 shall be paid at the time the registration or search is applied for; all sums paid to the administrator for registrations and searches shall be paid into the general fund of this state and become a part of the general fund.

History: 1927, Act 281, Eff. Sept. 5, 1927 ;-- CL 1929, 8983 ;-- CL 1948, 430.7 ;-- Am. 1984, Act 183, Eff. Oct. 1, 1984

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