

TRADEMARKS AND SERVICE MARKS (EXCERPT)

Act 242 of 1969

429.34 Certificate of registration; issuance; contents; refusal to register mark; notice; certificate as evidence.

Sec. 4. (1) Upon compliance by the applicant with the requirements of this act, the administrator shall issue a certificate of registration to the registrant. The certificate of registration shall be issued under the signature of the administrator and shall set forth the name and business address and, if a corporation, the state of incorporation, of the registrant, the description or a reproduction of the mark and the general class of goods or services to which appropriated, a description of the goods or services on which the mark is used, the date claimed for first use of the mark anywhere and the date claimed for the first use of the mark in this state, the registration date and term of the registration.

(2) If the administrator refuses to register a mark the applicant shall be notified and the reason for the refusal stated in writing.

(3) Any certificate of registration issued by the administrator, or a copy thereof duly certified by the administrator, shall be admissible in evidence as competent and sufficient proof of the registration of such mark in any action or judicial proceedings in any court of this state and shall be evidence of registrant's right to use the mark throughout this state in connection with the goods or services specified in the certificate, subject to any conditions and limitations stated therein, but shall not preclude an opposing party from proving any legal or equitable defense or defect which might have been asserted if such mark had not been registered.

History: 1969, Act 242, Eff. Jan. 1, 1970;—Am. 1984, Act 203, Eff. Oct. 1, 1984.