

[Act No. 3332, December 07, 1926]

AN ACT TO AMEND SECTIONS FOUR, TEN, AND TWENTY OF ACT NUMBERED SIX HUNDRED AND SIXTY-SIX, KNOWN AS THE TRADE-MARKS ACT, AS AMENDED BY ACTS NUMBERED FOURTEEN HUNDRED AND SEVEN, TWENTY-FOUR HUNDRED AND SIXTY, AND TWENTY-SEVEN HUNDRED AND TWENTY-EIGHT, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section four of Act Numbered Six hundred and sixty-six, known as the Trade-marks Act, is hereby amended to read as follows:

"SEC. 4. No action shall be brought for damages for the violation of the rights to use trade-marks denned in the preceding sections nor shall criminal proceedings be entertained as provided in section six of this Act, unless it be first shown that the trade-mark or trade-name alleged to have been violated or which gave rise to the criminal action has been duly registered in the Bureau of Commerce and Industry, in accordance with the provisions of this Act."

SEC. 2. Section ten of Act Numbered Six hundred and sixty-six is hereby amended to read as follows:

"SEC. 10. The use of a registered trade-mark or trade-name by the assignee of the owner of such trade-mark or trade-name shall be lawful and shall be protected under this Act, if such assignment is made of record in the register of the Bureau of Commerce and Industry."

SEC. 3. Section twenty of Act Numbered Six hundred and sixty-six, as amended by Acts Numbered Fourteen hundred and seven, Twenty-four hundred and sixty, and Twenty-seven hundred and twenty-eight is hereby amended to read as follows:

"SEC. 20. The Director of the Bureau of Commerce and Industry is hereby authorized to make the necessary rules and regulations for the purposes of this Act and likewise to prescribe forms for the transfer of the right to use trade-marks or trade-names and for recording such transfers in his office. He is also authorized to establish classes of merchandise for the purpose of the registration of trade-marks and to determine the particular description of the articles included in each class. An application for registration of a trade-mark shall be registered only for one class of articles and only for the particular description of articles mentioned in said application: *Provided*, That such description of articles shall be comprised in only one class."

SEC. 4. This Act shall take effect on its approval.

Approved, December 7, 1926.
