

112TH CONGRESS  
1ST SESSION

# H. R. 1166

To modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2011

Mr. ISSA (for himself, Ms. WASSERMAN SCHULTZ, Mr. JONES, Mr. HASTINGS of Florida, Mr. RIVERA, Mr. ROTHMAN of New Jersey, Mr. PIERLUISI, Mr. DIAZ-BALART, Mr. BURTON of Indiana, Mr. DEUTCH, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “No Stolen Trademarks  
5       Honored in America Act”.

6       **SEC. 2. MODIFICATION OF PROHIBITION.**

7       Section 211 of the Department of Commerce and Re-  
8       lated Agencies Appropriations Act, 1999 (as contained in

1 section 101(b) of division A of Public Law 105–277; 112  
2 Stat. 2681–88) is amended—

3 (1) in subsection (a)(2)—

4 (A) by striking “by a designated national”;

5 and

6 (B) by inserting before the period “that  
7 was used in connection with a business or as-  
8 sets that were confiscated unless the original  
9 owner of the mark, trade name, or commercial  
10 name, or the bonafide successor-in-interest has  
11 expressly consented”;

12 (2) in subsection (b), by striking “by a des-  
13 igned national or its successor-in-interest”;

14 (3) by redesignating subsection (d) as sub-  
15 section (e);

16 (4) by inserting after subsection (c) the fol-  
17 lowing:

18 “(d) Subsections (a)(2) and (b) of this section shall  
19 apply only if the person or entity asserting the rights knew  
20 or had reason to know at the time when the person or  
21 entity acquired the rights asserted that the mark, trade  
22 name, or commercial name was the same as or substan-  
23 tially similar to a mark, trade name, or commercial name  
24 that was used in connection with a business or assets that  
25 were confiscated.”; and

1           (5) in subsection (e), as so redesignated, by  
2 striking “In this section:” and all that follows  
3 through “(2) The term” and inserting “In this sec-  
4 tion, the term”.

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