

# APPENDIX C

## NOTES OF OTHER STATUTES

### **SOME U.S. CODE (AND C.F.R.) SECTIONS PROTECTING SPECIFIC NAMES, TERMS AND MARKS**

(This is a partial listing of some of the names, terms, initials and marks which are protected under the United States Code (and Code of Federal Regulations). Almost all of these sections protect symbols, emblems, seals, insignia and badges, as well as the referenced name. Many sections also protect other names and initials. Some sections protect characters in addition to names. See the sections for specific information. See also the next listing which provides other important Code sections, many of which also protect certain names, terms, initials and marks, e.g. 18 U.S.C. §709. For further information on other sections, see the Index to the United States Code, and the Index to the Code of Federal Regulations, especially under the terms “decorations, medals and badges,” “coats of arms,” “character,” “insignia,” “names,” “seals” and “symbols.” Other sections also exist which are not indexed under these terms.)

- American Ex-Prisoners of War, 36 U.S.C. §20907
- American Legion, 36 U.S.C. §21705
- The American National Theater and Academy, 36 U.S.C. §21904
- American Symphony Orchestra League, 36 U.S.C. §22306
- American Veterans, 36 U.S.C. §22706
- American War Mothers, 36 U.S.C. §22505
- AMVETS (American Veterans)
- Big Brothers [and other names], 36 U.S.C. §30106
- Big Sisters [and other names], 36 U.S.C. §30106
- Blinded Veterans Association, 36 U.S.C. §30306
- Blue Star Mothers of America, Inc., 36 U.S.C. §30507
- Board for Fundamental Education, 36 U.S.C. §30706
- Boy Scouts of America, 36 U.S.C. §30905
- Central Intelligence Agency, 50 U.S.C. §403m
- Central Liquidity Facility, 18 U.S.C. §709
- CIA (see Central Intelligence Agency)
- Citius Altius Fortius (see Olympic)
- Civil Air Patrol, 36 U.S.C. §40306
- Coast Guard [and other names], 14 U.S.C. §639
- Commodity Credit Corporation, 15 U.S.C. §714m
- DEA (see Drug Enforcement Administration)
- Department of Housing & Urban Development [and other names], 18 U.S.C. §709
- Disabled American Veterans, 36 U.S.C. §90h

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- Drug Enforcement Administration, 18 U.S.C. §709
- Fastener Quality Act, 15 U.S.C. §§5401 *et seq.*
- FFA (see Future Farmers of America)
- The Foundation of the Federal Bar Association, 36 U.S.C. §70506
- 4-H Club [also specific reference to emblem consisting of a green four-leaf clover with stem and the letter H in white or gold on each leaflet], 18 U.S.C. §707
- F.B.I. (see Federal Bureau of Investigation)
- Federal Bureau of Investigation, 18 U.S.C. §709
- Federal Deposit Insurance Corporation [and other names], 18 U.S.C. §709
- Federal Home Loan Mortgage Corporation, 12 U.S.C. §1457; 12 U.S.C. §1723a
- Future Farmers of America, 36 U.S.C. §70907
- Geneva Cross (see Red Cross)
- Girl Scouts of America, 36 U.S.C. §80305
- Give a Hoot, Don't Pollute (see Woodsy Owl)
- The Golden Eagle [also specific reference to insignia of an American Golden Eagle (colored gold) and a family group (colored midnight blue) enclosed within a circle (colored white with a midnight blue border)], 18 U.S.C. §715
- Government National Mortgage Association, 12 U.S.C. §1723a; 18 U.S.C. §709
- HUD (See Department of Housing & Urban Development)
- International Olympic Committee (see Olympic)
- HCFA (see Social Security)
- Health Care Financing Administration (see Social Security)
- Ladies of the Grand Army of the Republic, 36 U.S.C. §130106
- Life Saving Service (see Coast Guard),
- Lighthouse Service (see Coast Guard),
- Little League; Little Leaguer, 36 U.S.C. §130506
- Marine Corps, 10 U.S.C. §7881
- Medicaid (see Social Security)
- Medicare (see Social Security)
- The Military Chaplains Association of the United States of America, 36 U.S.C. §140304
- NASA (see National Aeronautics and Space Administration)
- National Aeronautics and Space Administration [also flags, logo, seal], 42 U.S.C. §2459b; 14 C.F.R. §§1221.101, 1221.107
- National Conference of State Societies, Washington, District of Columbia, 36 U.S.C. §150507
- National Conference on Citizenship, 36 U.S.C. §150707
- National Credit Union [and other names and acronyms], 18 U.S.C. §709
- National Music Council, 36 U.S.C. §152306
- National Safety Council, 36 U.S.C. §152506

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- National Society, Daughters of the American Colonists, 36 U.S.C. §152907
- National Society of the Daughters of the American Revolution, 36 U.S.C. §153104
- National Women's Relief Corps, Auxiliary of the Grand Army of the Republic, 36 U.S.C. §153706
- Naval Sea Cadet Corps, 36 U.S.C. §154106,
- NCOA (see Non Commissioned Officers Association of the United States of America)
- Non Commissioned Officers Association of the United States of America [and other names], 36 U.S.C. §154707
- Olympiad (see Olympic)
- Olympic [and other names] [also specific reference to (1) the symbol of the International Olympic Committee, consisting of five interlocking rings, and (2) the emblem consisting of an escutcheon having a blue chief and vertically extending red and white bars on the base with five interlocked rings displayed on the chief], 36 U.S.C. §220506
- OPIC (see Overseas Private Investment)
- Overseas Private Investment, 18 U.S.C. §709
- Paralyzed Veterans of America, 36 U.S.C. §170105
- Pearl Harbor Survivors Association, 36 U.S.C. §170307
- Peace Corps, 22 U.S.C. §2518
- Red Crescent emblem, or the designation "Red Crescent," 18 U.S.C. §706a
- Red Cross [and other names] [also specific reference to the emblem of the Greek red cross on a white ground], 18 U.S.C. §706
- Reserve Officers Association of the United States, 36 U.S.C. §190106
- SSA (see Social Security)
- Secret Service [and other names], 18 U.S.C. §709
- Smokey Bear, 18 U.S.C. §711; 16 U.S.C. §580p; 36 C.F.R. §261.20
- Social Security [and other names, symbols and emblems], 42 U.S.C. §1320b-10
- Sons of Union Veterans of the Civil War, 36 U.S.C. §200306
- Swiss Confederation [with specific reference to the coat of arms, consisting of an upright white cross with equal arms and lines on a red ground], 18 U.S.C. §708
- Third Protocol Emblem, 18 U.S.C. §706a
- U.D. (see Secret Service)
- USCG (see Coast Guard)
- USCGR (see Coast Guard)
- USMC (see Marine Corps)
- USO (see United Service Organizations, Incorporated)
- U.S.S.S. (see Secret Service)
- United Service Organizations, Incorporated, 36 U.S.C. §220106

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- United States Capitol Historical Society, 36 U.S.C. §220306
- United States Mint, 18 U.S.C. §709
- United States Railway Association , 45 U.S.C. §711
- United States Coast Guard (see Coast Guard)
- United States Olympic Committee (see Olympic)
- 369th Veterans Association, 36 U.S.C. §210307
- Veterans of Foreign Wars of the United States, 36 U.S.C. §230105
- Veterans of World War I of the United States of America, Incorporated, 36 U.S.C. §230306
- Vietnam Veterans of America [and other names], 36 U.S.C. §230507
- Woodsy Owl, 18 U.S.C. §711a, 16 U.S.C. §580p; 36 C.F.R. §261.20

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### SOME SECTIONS OF THE UNITED STATES CODE WHICH RELATE TO TRADEMARKS

*(This is a partial listing of sections relating to trademarks.)*

- 7 U.S.C. §136, The Federal Insecticide, Fungicide and Rodenticide Act, relating to the requirements for labeling of economic poisons.
- 7 U.S.C. §§1551-1610, The Federal Seed Act, relating to requirements for labeling of seeds in interstate commerce.
- 15 U.S.C. §1, Sherman Act (Sec. 1), as amended by Miller-Tydings Act, relating to restraint of trade.
- 15 U.S.C. §45, relating to unfair methods of competition.
- 15 U.S.C. §52, relating to false advertisements.
- 15 U.S.C. §68, The Wool Products Labeling Act, relating to the labeling of wool products.
- 15 U.S.C. §69, The Fur Products Labeling Act, relating to the labeling of fur and fur products.
- 15 U.S.C. §70, the Textile Fiber Products Identification Act, relating to the use of trademarks and names in the advertising or labeling of textile fiber products.
- 15 U.S.C. §297, relating to use of marks, trade names, words and labeling in connection with the importation, exportation or carriage in interstate commerce of merchandise made of gold or silver or their alloys.
- 15 U.S.C. §§1261-1273, relating to the labeling of hazardous substances.
- 15 U.S.C. §1511, relating to jurisdiction of Department of Commerce over Patent and Trademark Office.
- 15 U.S.C. §§5401 *et seq.*, relating to the recordation of insignia of manufacturers and private label distributors to ensure the traceability of a fastener to its manufacturer or private label distributor. (See notice at 1192 TMOG 19 (Nov. 5, 1996)).
- 18 U.S.C. §701, relating to use of insignia of departments and independent offices of the United States.
- 18 U.S.C. §704, relating to decorations or medals authorized by Congress for the armed forces of the United States.
- 18 U.S.C. §705, relating to the unauthorized use on merchandise of any badge, medal, emblem, or other insignia or any colorable imitation thereof of any veteran's organization incorporated by enactment of Congress or of any organization formally recognized by any such veteran's organization as an auxiliary thereof.
- 18 U.S.C. §709, relating to false advertising or misuse of names to indicate Federal agency. Also, prohibitions against using certain terms and initials within the financial, insurance, agricultural, housing, protection, investigatory and other fields.

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- 18 U.S.C. §712, relating to misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency.
- 18 U.S.C. §713, relating to the use of likenesses of the great seal of the United States, and of the seals of the President and Vice President.
- 18 U.S.C. §1001, relating to statements, representations, writings or documents made to any department or agency of the United States.
- 18 U.S.C. §1158, relating to counterfeiting or imitating Government trademarks for Indian products.
- 18 U.S.C. §2320, relating to criminal penalties for trafficking in counterfeit goods and services.
- 19 U.S.C. §1337(a), Tariff Act of 1930, relating to unfair practices in import trade.
- 19 U.S.C. §1526(a), Tariff Act of 1930, barring importation into the United States of merchandise of foreign manufacture bearing a trademark registered in the Patent and Trademark Office by a person domiciled in the United States if copy of the registration certificate has been filed with the Secretary of the Treasury unless written consent of the trademark owner has been secured.
- 19 U.S.C. §2111 *et seq.*, providing authority for trade agreements and also annual reports to Congress on barriers to trade include the treatment of intellectual property rights among acts, policies, and practices that constitute barriers to trade.
- 19 U.S.C. §2411, relating to foreign countries' provision for adequate and effective protection of the intellectual property rights of U.S. nationals.
- 19 U.S.C. §2462(c), relating to the consideration of intellectual property rights as a factor for foreign countries to receive benefits under the Generalized System of Preferences (GSP).
- 21 U.S.C. §§603-623, The Meat Inspecting Act, relating to the inspection and labeling of meat and products.
- 21 U.S.C. §§301, 321-392, The Federal Food, Drug, and Cosmetic Act, relating to the requirements for labeling of food, drugs, and cosmetics; avoiding trademarks in establishing official names.
- 21 U.S.C. §457, Poultry Products Inspection Act, relating to requirements for labeling of poultry products in interstate commerce.
- 27 U.S.C. §§201-212, The Federal Alcohol Administration Act, relating to certificates of label approval of alcoholic beverages.
- 28 U.S.C. §1254, relating to review of cases by the Supreme Court.
- 28 U.S.C. §1295, relating to jurisdiction of United States Court of Appeals for the Federal Circuit.
- 28 U.S.C. §1338, relating to jurisdiction of District Courts in trademark suits.
- 29 U.S.C. §§655, 657, 665, Williams-Steiger Occupational Safety and Health Act of 1970, relating to letters OSHA.

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- 42 U.S.C. §1320b-10, relating to misuse of Social Security or Medicare names, symbols, emblems.
- 48 U.S.C. §734, Puerto Rico, relating to statutes applicable to.
- 48 U.S.C. §§1405(q), 1574(c) and 1643, Virgin Islands, relating to statutes applicable to, and to the non-applicability of certain provisions of the Trademark Act to the Virgin Islands.
- 48 U.S.C. §1421(c), Guam, relating to statutes applicable to (see also Public Law 87-845, October 18, 1962, 4-CZC-471, Canal Zone Code, relating to the application of U.S. patent, trademark and copyright laws in the Canal Zone.)
- 50 U.S.C. Appendix 43, Trading with the Enemy Act, amending, providing for disposition of vested trademarks.

### **District of Columbia Code**

Section 22-3423, relating to use of District of Columbia and other related names and initials used in connection with investigatory or collection services. (Oct. 16, 1962, 76 Stat. 1071)