

## Article - Business Regulation

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§1-412.

- (a) The Secretary of State shall cancel a registration of a mark if:
- (1) the registrant asks that it be canceled;
  - (2) the registrant fails to renew it;
  - (3) a court of competent jurisdiction orders that it be canceled on any ground; or
  - (4) a court of competent jurisdiction finds that:
    - (i) the mark is abandoned;
    - (ii) the registrant does not own the mark;
    - (iii) the registration was granted improperly; or
    - (iv) the registration was obtained fraudulently.
- (b) (1) Subject to paragraph (2) of this subsection, the Secretary of State shall cancel the registration of a mark if a court of competent jurisdiction finds the mark to be likely to confuse or deceive because it resembles a mark that:
- (i) was registered by another person in the United States Patent Office before the date the registrant applied for registration under this subtitle; and
  - (ii) is not abandoned.
- (2) The Secretary of State may not cancel the registration of a mark if the registrant proves that:
- (i) the registrant holds a concurrent registration of the mark in the United States Patent Office; and
  - (ii) the registration in the United States Patent Office covers an area that includes the State.

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