

dred fifty dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 97, S.]

[Published April 10, 1901.

## CHAPTER 140.

AN ACT to amend chapter 84a of the statutes of 1898 of miscellaneous provisions, relating to labels and trade marks.

*The people of the state of Wisconsin represented in senate and assembly do enact as follows:*

**Suit to enjoin use of trade mark may be brought and injunction issue.** SECTION 1. Chapter 84a of the statutes of 1898 is hereby amended by adding a new section after section 1747d, to be known as section 1747dd, which section shall read as follows: Section 1747dd. Every person, association or union adopting or using a label, trade mark, term, design, device or form of advertisement as provided in section 1747a, may proceed by suit to enjoin the manufacture, use, display or sale of any counterfeits or imitations thereof, and courts of competent jurisdiction shall grant injunctions to restrain such manufacture, use, display or sale, and may award the complainant damages resulting from such manufacture, use, sale or display as may be deemed just and reasonable by said court, including all profits derived from such wrongful manufacture, use, display or sale; such court shall also order that all such counterfeits or imitations in the possession or under the control of any defendant be delivered to an officer of the court to be destroyed. In case such association or union is not incorporated, such actions may be commenced and prosecuted by an officer or member of such association or union on behalf of and for the use of such association or union.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.