

1989 Senate Bill 207

Date of enactment: **December 5, 1989**
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1989 WISCONSIN ACT 91

AN ACT to renumber and amend 132.01 (7) and 132.11; to amend 132.04 (title); and to create 132.01 (7) (b), 132.04 (4) and 132.11 (1) (c) of the statutes, relating to: cancellation of marks registered with the secretary of state or registers of deeds.

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

SECTION 1. 132.01 (7) of the statutes is renumbered 132.01 (7) (intro.) and amended to read:

132.01 (7) (intro.) The secretary of state shall ~~cancel~~ do all of the following:

(a) ~~Cancel~~ from his or her register all registrations more than 20 years old and not renewed in accordance with sub. (6) and also any registration ~~to the extent to which the~~ if a final judgment in any court of competent jurisdiction shall find finds that the registration has been abandoned or that the registrant does not have the right to the exclusive use thereof of the registration.

SECTION 2. 132.01 (7) (b) of the statutes is created to read:

132.01 (7) (b) Cancel from his or her register a registration of a mark under this section upon the request of the registrant of the mark. The secretary of state may not charge a fee for canceling a registration under this paragraph.

SECTION 3. 132.04 (title) of the statutes is amended to read:

132.04 (title) Filing, publication and cancellation of description; fees.

SECTION 4. 132.04 (4) of the statutes is created to read:

132.04 (4) (a) The secretary of state and register of deeds shall cancel a statement or description under this section upon the request of the person named in the records of the secretary of state or register of deeds as the

owner of marks of ownership described in the statement or description.

(b) The secretary of state and register of deeds may not charge a fee for canceling a statement or description under par. (a).

SECTION 5. 132.11 of the statutes is renumbered 132.11 (1) (intro.) and amended to read:

132.11 (1) (intro.) The secretary of state shall ~~on~~ do all of the following:

(a) Upon application by any person, or firm domiciled in this state or by any corporation created under the laws thereof, or by a foreign corporation licensed to do business therein and engaged in the manufacture or sale of ale, porter, lager beer, soda water, mineral water or other beverages put up in packages, record in a book kept for that purpose a description of the names, brand or trademark used by such person, firm or corporation for marking the casks, barrels, kegs, bottles, jugs, fountains, boxes or other packages containing such beverage. ~~Before any such record shall be made there shall be paid said secretary~~

(b) Collect a fee of \$10 for each ~~and every~~ such description of name, brand or trademark which he or she is requested to ~~have recorded. Nothing elsewhere~~ record under par. (a).

(2) Except as provided in s. 132.01 (6), nothing in this chapter ~~contained~~ is intended to be contrary to or to control or modify the provisions of this section.

SECTION 6. 132.11 (1) (c) of the statutes is created to read:

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132.11 (1) (c) Cancel the description of a name, brand or trademark recorded under par. (a) upon the request of the person, firm or corporation named in the records of

the secretary of state as the owner of the name, brand or trademark. The secretary of state may not charge a fee for canceling a description under this paragraph.
