

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 7334**

**BILL NUMBER:** HB 1673

**NOTE PREPARED:** Feb 3, 2005

**BILL AMENDED:** Jan 31, 2005

**SUBJECT:** Trademarks and Service Marks.

**FIRST AUTHOR:** Rep. Harris T

**FIRST SPONSOR:**

**BILL STATUS:** As Passed House

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State

**Summary of Legislation:** The bill replaces the Indiana Trademark Act with the Model State Trademark Act. The bill repeals obsolete provisions of the Indiana Trademark Act.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:** *Secretary of State:* This bill makes several changes to the manner in which the Secretary of State (SOS) administers trademark protections. Any change in the administrative costs to the SOS are expected to be within existing staff and resources.

**Explanation of State Revenues:** The bill would give the SOS the discretion to set rules to prescribe the trademark application, recording, and related fees. Trademark fee revenue is currently deposited in the General Fund. Under current law, the fee to register a trademark for a ten-year period is \$10. The bill would reduce the length of the registration period to five years. The bill eliminates the statutory amount of the fee at \$10 and would allow the SOS to adopt rules to prescribe the fees.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Office of the Secretary of State.

**Local Agencies Affected:** Trial courts.

**Information Sources:** Indiana State Budget Agency: BUDSTARS.

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