

H.B. 450

TRADEMARK AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 6, 2009 10:37 AM

Representative **Bradley G. Last** proposes the following amendments:

1. *Page 8, Lines 224 through 231:*

224 (3) A court of competent jurisdiction:

225 (a) may grant an injunction to restrain the delivery or display of an advertisement in

226 Utah prohibited by Section 70-3a-406;

227 (b) may award reasonable attorney fees if the delivery or display of an advertisement in

228 Utah persists after an action is properly filed after the ten-day notice period described in

229 Subsection (2)(b); ~~{and}~~

230 (c) **may award reasonable attorney fees to the defendant upon finding:**

(i) that the delivery or display of a challenged advertisement is not prohibited by Section 70-3a-406;

and

(ii) that the action was brought in bad faith; and

(d) may not award reasonable attorney fees if the delivery or display of an

231 advertisement in Utah stops within the ten-day notice period described in Subsection (2)(b).