

70-3a-401 Fraudulent registration.

- (1) A person is civilly liable to pay all damages resulting from a filing or registration under this chapter if:
 - (a) that person procures the filing or registration of any mark:
 - (i) for the person who procures the filing or registration; or
 - (ii) on behalf of another person; and
 - (b) the person who procures the filing or registration procures it by:
 - (i) knowingly making a false or fraudulent representation or declaration, orally or in writing; or
 - (ii) any other fraudulent means.
- (2) Damages sustained as a result of a filing or registration described in Subsection (1) may be recovered:
 - (a) by or on behalf of the person injured by the filing or registration; and
 - (b) in any court of competent jurisdiction.

Enacted by Chapter 318, 2002 General Session