



Montana Legislative Services Division
Legal Services Office

TO: State Administration and Veterans' Affairs Interim Committee
FROM: K. Virginia Aldrich
DATE: September 24, 2015
RE: Legislative Administrative Rule Review Report

Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee is responsible for reviewing administrative rules within its jurisdiction. Staff for the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

MAR NOTICE NUMBER: 44-2-197

AGENCY/BOARD: Secretary of State

RULE CLASSIFICATION: (e.g. substantive/interpretative/emergency/temporary): Substantive

SUBJECT: Rules Governing the Registration of Business/Mark Names

NOTICE DESCRIPTION: (e.g. proposal notice/adoption notice): Notice of Public Hearing on Proposed Amendment

SUMMARY OF RULE(S): The Secretary of State proposes to adopt amendments to one existing rule concerning business marks and names. The amendments elucidate what makes a registered business/mark name distinguishable from another registered business/mark name, including key words in a different order, different spellings of proper names, and unique or improper spellings. The rule also expounds on what does not make a business name/mark distinguishable from another business name/mark, including contractions, variations in word endings, or different spacing among words. The amendments also reserve the Secretary of State's right not to register business names that are vulgar or that are grossly offensive.

NOTES: A public hearing is scheduled for October 15, 2015, at 10 a.m. in Room 260, State Capitol Building, Helena, Montana. The public comment period ends on October 23, 2015.

FULL TEXT OF NOTICE: The full text of the notice proposal may be found online at http://www.mtrules.org/gateway/Cycle_Home.asp?CID=2195