

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 209**

Introduced by Harr, 8.

Read first time January 15, 2013

Committee: Banking, Commerce and Insurance

A BILL

- 1 FOR AN ACT relating to trade names; to amend sections 87-214 and
- 2 87-219, Revised Statutes Cumulative Supplement, 2012; to
- 3 change provisions relating to publication; to harmonize
- 4 provisions; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 87-214, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3                   87-214 The Secretary of State shall cancel from the  
4 register:

5                   (1) Any registration concerning which the Secretary of  
6 State shall receive a voluntary request for cancellation from the  
7 registrant or the assignee of record;

8                   (2) Any registration granted under sections 87-208 to  
9 87-219.01 and not renewed in accordance with such sections;

10                  (3) Any registration concerning which a court of  
11 competent jurisdiction shall find:

12                   (a) That the registered trade name has been abandoned;

13                   (b) That the registrant is not the owner of the trade  
14 name;

15                   (c) That the registration was granted improperly; or

16                   (d) That the registration was obtained fraudulently;

17                   (4) Any registration that a court of competent  
18 jurisdiction shall order canceled on any ground; and

19                   (5) Any registration where the registrant has failed to  
20 publish such trade name within forty-five days from the filing in the  
21 office of the Secretary of State and filing proof of publication with  
22 the Secretary of State ~~and county clerk~~ within the forty-five days.

23                  Sec. 2. Section 87-219, Revised Statutes Cumulative  
24 Supplement, 2012, is amended to read:

25                  87-219 Every duplicate of the registration of a trade

1 name shall be published by the applicant once in a newspaper of  
2 general circulation published in the city or village where the  
3 business is to be located, or, if there is no newspaper in the city  
4 or village, in some newspaper of general circulation in the county.  
5 Proof of such publication shall be filed in the office of the  
6 Secretary of State ~~and with the county clerk of the county wherein~~  
7 ~~the principal office is located,~~ within forty-five days from the date  
8 of registration in the office of the Secretary of State. If proof of  
9 publication is not filed with the Secretary of State ~~and county clerk~~  
10 within the forty-five days, the registration shall be canceled by the  
11 Secretary of State.

12                   Sec. 3. Original sections 87-214 and 87-219, Revised  
13 Statutes Cumulative Supplement, 2012, are repealed.