

AMENDMENT
TO RULES COMMITTEE PRINT 115-70
OFFERED BY MR. YOHO OF FLORIDA

At the end of title VIII (page 404, after line 21),
add the following new section:

1 SEC. 881. APPLICABILITY OF REQUIREMENTS RELATING TO
2 TRADEMARK LICENSING.

3 (a) LICENSE FEES.—Section 2260 of title 10, United
4 States Code, is amended by adding at the end the fol-
5 lowing new subsection:

6 “(g) APPLICABILITY.—The Secretary of Defense may
7 not require a license or retain fees under this section from
8 any person for a product that was designed by that person
9 before October 28, 2004, that used or displayed Depart-
10 ment of Defense symbols, slogans, or designs (other than
11 an official seal of an armed force or military depart-
12 ment).”.

13 (b) USE OF CERTAIN PRODUCTS.—Any person that
14 designed a product that used or displayed Department of
15 Defense symbols, slogans, or designs (other than an offi-
16 cial seal of an armed force or military department) before
17 October 28, 2004, may use such product in commerce

1 without being subject to the trademark licensing program
2 of the Department of Defense.

3 (c) CODE OF CONDUCT.—The Secretary of Defense
4 shall prescribe regulations containing an official code of
5 conduct that defines misuse of products referred to in sub-
6 section (b).

7 (d) PENALTIES.—Any person that willfully or know-
8 ingly misuses a product referred to in subsection (b) by
9 engaging in conduct described in the regulations pre-
10 scribed under subsection (c) shall be subject to the trade-
11 mark licensing program of the Department of Defense.

