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:

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

(a) LICENSE FEES.—Section 2260 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g) APPLICABILITY.—The Secretary of Defense may not require a license or retain fees under this section from any person for a product that was designed by that person before October 28, 2004, that used or displayed Department of Defense symbols, slogans, or designs (other than an official seal of an armed force or military department).”.

(b) USE OF CERTAIN PRODUCTS.—Any person that designed a product that used or displayed Department of Defense symbols, slogans, or designs (other than an official seal of an armed force or military department) before October 28, 2004, may use such product in commerce.
without being subject to the trademark licensing program of the Department of Defense.

(c) CODE OF CONDUCT.—The Secretary of Defense shall prescribe regulations containing an official code of conduct that defines misuse of products referred to in subsection (b).

(d) PENALTIES.—Any person that willfully or knowingly misuses a product referred to in subsection (b) by engaging in conduct described in the regulations prescribed under subsection (c) shall be subject to the trademark licensing program of the Department of Defense.