

or tanks of such size and construction as may be deemed expedient may be permitted in lieu of distillery bonded warehouses, and the production, storage, the manner and process of denaturing on the distillery premises the alcohol produced, and transportation of such alcohol, and the operation of such distilleries shall be upon the execution of such bonds and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, and such distilleries may by such regulations be exempted from such provisions of the existing laws relating to distilleries as may be deemed expedient by said officials.

Bonds, etc.

SEC. 5. That the provisions of this Act shall take effect on September first, nineteen hundred and seven.

Effect, Sept. 1, 1907.

Approved, March 2, 1907.

CHAP. 2572.—An Act To grant American registry to the German bark Mariechen.

March 2, 1907.
[H. R. 25437.]

[Public, No. 231.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Navigation be, and he is hereby, authorized to register as an American vessel the German bark Mariechen: *Provided, however,* That such registry shall not give to said vessel the right to engage in the coastwise trade. And this Act is based upon the express condition that said bark is to be used as a barge, and that no application shall be hereafter made for the right for said vessel to engage in the coastwise trade.

German bark "Mariechen."
Granted American register.
Proviso.
Coastwise trade prohibited.

Approved, March 2, 1907.

CHAP. 2573.—An Act To amend sections five and six of an Act entitled "An Act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same."

March 2, 1907.
[H. R. 25474.]

[Public, No. 232.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of the Act entitled "An Act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," approved February twentieth, nineteen hundred and five, be, and is hereby, amended to read as follows:

Trade marks.
Vol. 33, p. 725.

"SEC. 5. That no mark by which the goods of the owner of the mark may be distinguished from other goods of the same class shall be refused registration as a trade-mark on account of the nature of such mark unless such mark—

Marks permitted registry.

Exceptions.

"(a) Consists of or comprises immoral or scandalous matter.

"(b) Consists of or comprises the flag or coat of arms or other insignia of the United States, or any simulation thereof, or of any State, or municipality, or of any foreign nation, or of any design or picture that has been or may hereafter be adopted by any fraternal society as its emblem: *Provided,* That trade-marks which are identical with a registered or known trade-mark owned and in use by another, and appropriated to merchandise of the same descriptive properties, or which so nearly resemble a registered or known trade-mark owned and in use by another, and appropriated to merchandise of the same descriptive properties, as to be likely to cause confusion or mistake in the mind of the public, or to deceive purchasers, shall not be registered: *Provided,* That no mark which consists merely in the name of an individual, firm, corporation, or association, not written, printed, impressed, or woven in some particular or distinctive manner or in

Emblems of fraternal societies added.
Vol. 33, p. 725, amended.
Provisos.
Similarity of trade-marks.

Marks with only names of individuals, firms, etc.