

Trademark Act 2018

As the Republic of Bloom becomes ever more established, with ever increasing presence of businesses, political parties, and other named groups, it is therefore my opinion that our great nation requires a system for acknowledging a group's exclusive rights to their name and or their slogan. This act sets out to define what a trademark is, how they are granted, how they can be used, and what protections they provide.

Article 1 - Ownership

- I. Once granted, a trademark converts a name or slogan into the private property of the rights holder or rights holders, to use at their sole discretion.
- II. Trademarks may be co-owned, the shares either being divided equally among each party, or otherwise pre-determined.

Article 2 - Application for Recognition

- I. Trademarks consist of either one name, one slogan, one logo, or one anthem.
- II. Trademarks are only valid if granted by an authorised agent or agency within Bloom's government.
- III. The Prime Minister of Bloom is the ultimate authorised agent; however, they may delegate the responsibility to an agent or agency within the national government of Bloom.
- IV. Trademarks registered with Bloom can only be enforced within Bloom's sovereign borders, and other areas with Bloom jurisdiction.
- V. Trademarks may only be granted to citizens of Bloom, or to players with an established business, political party, and or other recognised named group within Bloom's sovereign borders, or other area with Bloom jurisdiction.
- VI. Trademarks may not consist of segments or whole parts of other trademarks, or other recognised names, or they will be denied and revoked.
- VII. Trademarks require a monthly payment to the authorised agent or agency, only one month's validation can be paid for at a time, and must wait to within a week of expiry before paying for the next month.
- VIII. Renewing a trademark within that week period shall not cause the trademark to renew immediately, but rather extend the lifetime of the trademark an additional month. As in, the remainder of the week is not discarded.
- IX. Active trademarks, which define trademarks with public usage, e.g. shop names, shall cost two diamonds per month.
- X. Passive trademarks, which are proverbial name or slogan reservations, shall cost five times as much as an active trademark.

Article 3 - Usage

- I. Players may use Bloom's legal system to sue any player or players they can prove have infringed and or are infringing on their trademark.
- II. Damages from infringement include but are not limited to fines determined by the judge, and disqualification from and or invalidation of any official process where the trademark was infringed, e.g. a candidate being disqualified from an election by claiming membership to a party with an infringing name.
- III. When trademarks are used within groups or communities, the rights holders lose the ability to sue the individuals within that group or the other rights holders for infringement upon Article 1-1 e.g. a political party cannot sue one of its own members for "acting outside the sole discretion of the rights holders" or similar.
- IV. Rights holders may give license to other entities, whether it be to players, groups, governments, or organisations, for a fee of at least the cost of a new active trademark. Such licenses are subject to the same monthly renewal process as the full trademark.
- V. Rights holders may trade away their share of a trademark at any time, or if they are the sole rights holder, the trademark itself.
- VI. Rights holders may sell their share to another rights holder of the same trademark.
- VII. A sole rights holder of a trademark may sell a share to other entities, whether it be to players, groups, governments, or organisations, for a fee of at least the cost of a new active trademark.
- VIII. Rights holders and license holders must inform the authorised agent or agency of purchase, trade, claim, or renouncement of claim i.e. if you have not informed the authorised agent or agency of your newfound status as a rights holder, then you cannot sue on the grounds of being infringed.

Article 4 - Protections

- I. While this law cannot prevent other players from infringing upon the rights of rights holders, it can offer them a legal response with heavy consequences.
- II. Rights holders of trademarks which have since expired may still prosecute those who infringed upon their rights while the trademark was still in effect.
- III. Rights holders may not sue license holders, nor vice versa.

Article 5 - Infringements

- I. An infringement of a trademark is when a player, group, or other entity pretends ownership or part ownership of a trademark, or pretends ownership of a license to a trademark, or membership to a group where the trademark is applied. Examples of infringements are as follows, but are not limited to:-
 - Players using a trademarked name as their political party without license is an infringement.

- Players using a trademarked name as their shop name without license is an infringement.
- Players using a trademarked name, slogan, logo, or logo as a part of their political campaign is an infringement.