LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 209

Final Reading

Introduced by Harr, 8.

Read first time January 15, 2013

Committee: Banking, Commerce and Insurance

A BILL

FOR AN ACT relating to trade names; to amend sections 87-214 and
87-219, Revised Statutes Cumulative Supplement, 2012; to
change provisions relating to publication; to harmonize
provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 87-214, Revised Statutes Cumulative Supplement, 2012, is amended to read:

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

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

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

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

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

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

(c) That the registration was granted improperly; or

(d) That the registration was obtained fraudulently;

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

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

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

87-219 Every duplicate of the registration of a trade
name shall be published by the applicant once in a newspaper of
general circulation published in the city or village where the
business is to be located, or, if there is no newspaper in the city
or village, in some newspaper of general circulation in the county.
Proof of such publication shall be filed in the office of the
Secretary of State and with the county clerk of the county wherein
the principal office is located, within forty-five days from the date
of registration in the office of the Secretary of State. If proof of
publication is not filed with the Secretary of State and county clerk
within the forty-five days, the registration shall be canceled by the
Secretary of State.

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