

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 59.1-89 of the Code of Virginia, relating to improper use of a*
3 *trademark or service mark; penalty.*

4 [H 2355]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 59.1-89 of the Code of Virginia is amended and reenacted as follows:**

8 § 59.1-89. Remedies; criminal penalty.

9 A. Any owner of a trademark or service mark registered under this chapter, or prior acts, and in
10 force and effect, may proceed by suit in a circuit or corporation court, or court of equity jurisdiction, to
11 enjoin the manufacture, use, display or sale in this Commonwealth of any counterfeits or imitations
12 thereof and the court may grant injunctions to restrain such manufacture, use, display or sale as may be
13 by the court deemed just and reasonable, and may require the defendants to pay to such owner all
14 profits derived from and/or all damages suffered by reason of such wrongful manufacture, use, display
15 or sale; and the court may also order that any such counterfeits or imitations in the possession or under
16 the control of any defendant in the case be delivered to an officer of the court, or to the complainant, to
17 be destroyed.

18 B. Any person who knowingly and intentionally violates the provisions of § 59.1-88 shall be guilty of
19 a Class 2 misdemeanor.

ENROLLED

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