

§6-A. Use of "Passamaquoddy" prohibited

A person or persons, partnership, corporation or other entity engaged in any business or activities may not adopt a name that contains the word "Passamaquoddy" or use the word "Passamaquoddy" in connection with goods manufactured or sold or services provided after December 31, 1993 without written authorization from the Passamaquoddy Tribe. [PL 1993, c. 210, §1 (NEW); PL 1993, c. 210, §2 (AFF).]

1. Extent of authorization. Unless greater authority is expressly granted by the Passamaquoddy Tribe, no authorization extends to a business, activity, product or service not disclosed to the Passamaquoddy Tribe at the time of the request for authorization. Authorization is revocable unless by its terms it is irrevocable.
[PL 1993, c. 210, §1 (NEW); PL 1993, c. 210, §2 (AFF).]

2. Deceptive trade practices. Violation of this section is a deceptive trade practice and unlawful under Title 10, chapter 206.
[PL 1993, c. 210, §1 (NEW); PL 1993, c. 210, §2 (AFF).]

3. Exemptions. The following are exempted from the provisions of this section:

A. The use of the words "Passamaquoddy Bay":

(1) As part of a trade name of an entity or sole proprietorship; or

(2) In connection with goods manufactured or sold or services provided; and [PL 1993, c. 210, §1 (NEW); PL 1993, c. 210, §2 (AFF).]

B. Use of the word "Passamaquoddy" by a person who was using it prior to the effective date of this Act:

(1) As part of a specific trade name of an entity or sole proprietorship; or

(2) In connection with specific goods or specific services provided.

The exemption in this paragraph does not extend to the use of the word "Passamaquoddy" as part of any trade name not in use prior to the effective date of this Act or in connection with any specific goods or services not being sold prior to the effective date of this Act. [PL 1993, c. 210, §1 (NEW); PL 1993, c. 210, §2 (AFF).]

[PL 1993, c. 210, §1 (NEW); PL 1993, c. 210, §2 (AFF).]

SECTION HISTORY

PL 1993, c. 210, §1 (NEW). PL 1993, c. 210, §2 (AFF).

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