CONGRESSIONAL RECORD
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BILL H.R. 9834 | DATE July 22, 1964 | PAGE(S) 16105

ACTION: Bill Passed.

RENEWAL OF AMERICAN LEGION PLAQUE PATENT NUMBER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1130.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 9834) granting a renewal of patent No. D-161,955, relating to a plaque of the American Legion.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1195), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 9834 is to grant a 14-year renewal of the design patent No. D-161,955, issued February 13, 1951, the same being the patent of the design of the American Legion's School Award Plaque.

STATEMENT

The House of Representatives report reflects the following:

The American Legion is a nonpolitical, civilian organization, originally chartered by the act of Congress of September 16, 1919 (51 Stat. 284; 36 U.S.C. 41-51). Since 1921 the Legion has conducted a school award program involving the annual award of medals to grammar school graduates who exemplify the qualities of courage, honor, service, leadership, scholarship and, recently, patriotism. The School Award Plaque is awarded to the educational institutions at which the recipients of the School Award Medals were trained. The plaque is of such design that it permits the engraving thereon of the names of 14 awardees of the School Award Medal. In 1951 the U.S. Patent Office issued design patent No. D-161,955, whose renewal is the subject of this bill, for the design of a plaque. In the same year the Patent Office issued patent No. D-162,975, relating to the School Award Medal, whose renewal is the subject of a companion bill, H.R. 9833. Both such design patents will expire next year and there is no way, short of an act of Congress, by which they can be extended or renewed.

Consistent committee practice in recent years has been to recommend the granting of renewals of design patents of emblems, badges, etc., of patriotic corporations; e.g., Daughters of the Confederacy (Public Law 213, 88th Cong.), American Legion, Sons of the American Legion, and American Legion Auxiliary (Public Laws 439, 437, and 438, respectively, 87th Cong.).

As indicated by the paragraph above, it has been the consistent practice to recommend the granting of renewals of design patents of emblems, badges, etc., of patriotic organizations, and this committee has concurred in that practice. The committee believes it to be of great value to these patriotic organizations to be able to maintain their emblems, plaques, and badges without the fear of their being used by other persons or organizations upon the expiration of the patent. It is to the public interest that, as long as the organizations exist their badges and emblems remain a part of the particular organization. In view of all of the foregoing, the committee concurs in the action of the House of Representatives and recommends that the bill, H.R. 9834, be considered favorably.

Attached hereto and made a part hereof is the letter of the national judge advocate of the American Legion to John S. Mears, assistant director, National Legislative Commission of the American Legion, and the report of the Department of Commerce approving the legislation.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Maryland for his usual and unfailing consideration.