

TITLE 15.—COMMERCE AND TRADE

CROSS REFERENCE

For Air Commerce Act of 1920, see Title 49 in the Supplement.

Chapter 1.—MONOPOLIES AND COMBINATIONS IN RESTRAINT OF TRADE.

Section 16. [Judgment in favor of government as evidence; limitation of actions].—

The heading of this section should be changed to read as above.

Chapter 2.—FEDERAL TRADE COMMISSION; PROMOTION OF EXPORT TRADE AND PREVENTION OF UNFAIR METHODS OF COMPETITION.

FEDERAL TRADE COMMISSION

★ **Section 41. Federal Trade Commission established; membership; vacancies; seal.—**

"officer" in line 9 of this section should read "office."

Chapter 3.—TRADE-MARKS.

GENERAL PROVISIONS FOR REGISTRATION

★ **Section 95. Fees; mode of payment; refunding.—**

"Section 69" in first line of this section should read "Section 79."

107. Notice of registration; notice of infringement.—

While this section as set out in the Code is in the exact language of the original statute cited thereto, it has been suggested that in view of § 126 of this title, constituting § 6 of Act Mar. 19, 1920, c. 104, 41 Stat. 535, there should be added at the end thereof the following: "The provisions of this section shall not apply to marks registered under section 121 (a) of this title."

INTERNATIONAL REGISTRATION AND MARKS NOT REGISTERABLE UNDER PRECEDING SUBDIVISION

122. Cancellation of registration.—

It has been suggested that this section would be clarified if "this register" in line 3 of this section should be changed to read, "the register provided by section 121 of this title."

★ **126. Application of other provisions.—**The provisions of sections 95, 97 to 106, inclusive, and 107 (as to class [b] marks only) of this chapter and the provisions of section 131 of this chapter, are made applicable to marks placed on the register provided for by section 121 of this chapter.

This section constitutes § 6 of Act Mar. 10, 1920, c. 104, 41 Stat. 635, and has been reprinted to correct an error in the section as printed in the Code.

Chapter 4.—CHINA TRADE ACT.

★ **Section 144. Incorporation; articles; business prohibited; subscription to stock.—**

"successfully" in last line of subd. (b) (5) of this section should read "successively."

Chapter 5.—THE BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Section 189a. Sale of lists of foreign buyers, news bulletins, reports, etc.; charges; disposition of receipts.—The Secretary of Commerce may make such charges as he deems reasonable for lists of foreign buyers, special statistical services, special commodity news bulletins, and World Trade Directory Reports, and the amounts collected therefrom shall be deposited in the Treasury as "Miscellaneous receipts."

New. This section constitutes a part of the State, etc., Departments Appropriation Act of Apr. 20, 1920, c. 105, Title III, 44 Stat. 353. The provision was repeated in the State, etc., Appropriation Act of Feb. 24, 1927, c. 180, Title III, 44 Stat. 1203.

FOREIGN COMMERCE SERVICE [NEW]

197. Establishment; officers; grades.—There is hereby established in the Bureau of Foreign and Domestic Commerce of the Department of Commerce the Foreign Commerce Service of the United States (hereinafter referred to as the "foreign commerce service"), consisting of officers to be graded in the following order and to be known as commercial attachés, assistant commercial attachés, trade commissioners, and assistant trade commissioners.

New. This section constitutes § 1 of Act Mar. 3, 1927, c. 365, 44 Stat. 1394, entitled "An Act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes."

Section 8 of said Act provided as follows: "This Act shall take effect upon its enactment."

197a. Duties of officers.—Under the direction of the Secretary of Commerce (hereinafter referred to as the "Secretary"), the officers of the foreign commerce service shall—

(a) Promote the foreign commerce of the United States;

(b) Investigate and report upon commercial and industrial conditions and activities in foreign countries which may be of interest to the United States;

(c) Perform such other duties as the Secretary may direct in connection with the promotion of the industries, trade, or commerce of the United States;

(d) Make such inspections of the foreign commerce service as the Secretary may direct.

New. This section constitutes § 2 of Act Mar. 3, 1927, c. 365, 44 Stat. 1394. See note to § 197.

197b. Appointment of officers; eligibility; compensation; promotions; assignments for duty; leaves of absence.—(a) The Secretary is authorized to appoint officers of the foreign commerce service, but only after eligibility has been determined by examinations held by the Civil Service Commission and the Department of Commerce in coordination, under regulations approved by the Civil Service Commission, except that the Secretary may, with the approval of the Civil Service Commission, appoint without such examination any person who, prior to March 3, 1927, has served, or has passed an examination for appointment, as commercial attaché, assistant commercial attaché, trade commissioner, division head, assistant trade commissioner, commercial agent, or special agent in the Bureau of Foreign and Domestic Commerce.

(b) The Secretary shall appoint each officer of the foreign commerce service to a grade specified in section 197 of this title, and to one of the following classes, and shall fix his compensation within the salary range specified for such class: Class 1, \$8,000 to \$10,000; class 2, \$6,000 to \$8,000; class 3, \$4,000 to \$6,000; class 4, \$3,000 to \$4,000; class 5, below \$3,000. In making appointments to a grade and class and in fixing compensation the Secretary shall take into consideration the examination and record of the officer and the post to which assigned, and the various commercial interests of the different sections of the country.

(c) The Secretary is authorized to promote or demote in grade or class, to increase or decrease within the salary range fixed for the class the compensation of, and to separate from the service officers of the foreign commerce service, but in so doing the Secretary shall take into consideration records of efficiency maintained under his direction.

(d) Any officer of the foreign commerce service may be assigned for duty in the United States for a period of not more