
ASSEMBLY BILL NO. 81—ASSEMBLYMEN OCEGUERA, GIUNCHIGLIANI,
ATKINSON, BUCKLEY, CLABORN, CONKLIN, HORNE AND
PIERCE

FEBRUARY 13, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Authorizes award for treble damages, attorney’s fees
and costs in certain civil actions relating to marks.
(BDR 52-366)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to marks; authorizing award for treble damages,
attorney’s fees and costs in certain civil actions relating to
marks; and providing other matters properly relating
thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 600.430 is hereby amended to read as follows:
2 600.430 1. Any owner of a mark registered in this state may
3 proceed by suit to enjoin the manufacture, use, display or sale of
4 counterfeits or imitations of it and a court of competent jurisdiction
5 may grant injunctions to restrain ~~such~~ *the* manufacture, use,
6 display or sale as it deems just and reasonable under the
7 circumstances, and may require the defendants to pay to the owner
8 all profits derived from his wrongful acts and ~~all~~ *treble* damages
9 suffered by reason of these acts. The court may also order that any
10 counterfeits or imitations in the possession or control of any
11 defendant be delivered for destruction to an officer of the court or to
12 the complainant.
13 2. *In an action brought pursuant to this section, the court*
14 *may award costs and reasonable attorney’s fees to the prevailing*
15 *party.*



1 **3.** The enumeration of any right or remedy in this section does
2 not affect a registrant's right to prosecute under any penal law of
3 this state.

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