



## CHAPTER 80

## ARTICLE 1 - TRADEMARK REGISTRATION ACT

## N.C.G.S. § 80-8.

# Cancellation.

| SOURCE                                                                   | LAST AMENDMENT IN THIS TEXT                     | RETRIEVED                    | SOURCE FINGERPRINT                                                     |
|--------------------------------------------------------------------------|-------------------------------------------------|------------------------------|------------------------------------------------------------------------|
| General Statutes of North Carolina, as published by the General Assembly | S.L. 1997-476, s. 10 — third act in the lineage | 21 September 2026, 04:01 UTC | 97966b7317312356afca1735 - d69cd87aa25b83e0a7235dc7 - 4e9df105e853acd0 |

The Secretary shall cancel from the register, in whole or in part:

Repealed by Session Laws 1991, c. 626, s. 8.

Any registration concerning which the Secretary shall receive a voluntary request for cancellation thereof from the registrant or the assignee of record.

All registrations granted under this Article and not renewed in accordance with the provisions hereof.

Any registration concerning which a court of competent jurisdiction shall find:

- a. That the registered mark has been abandoned or has become incapable of serving as a mark;
- b. That the registrant is not the owner of the mark;
- c. That the registration was granted improperly;
- d. That the registration was obtained fraudulently;
- e. That the registration is for a mark that is or has become the generic name for the goods or services for which it has been registered or for a portion of the goods or services for which it has been registered;
- f. That the registration was obtained by means of materially false statements in the application for registration; or
- g. That the registration is so similar to another mark used in the State as to be likely to cause confusion or mistake or to deceive if (i) the other mark was registered by another person in the United States Patent and Trademark Office prior to the date of the applicant's first use of the mark that is the subject of the application for registration, and (ii) the other mark has not been abandoned. However, if the registrant proves that the registrant is the owner of a concurrent registration of a mark in the United States Patent and Trademark Office covering an area including the entire State, the registration shall not be cancelled.

Any registration when a court of competent jurisdiction shall order cancellation thereof.

,(7) Repealed by Session Laws 1997-476, s. 10.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I  
3 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

| 1967                            |      | 1982                                   |           | 1997 |
|---------------------------------|------|----------------------------------------|-----------|------|
| TICK HEIGHT = ACTS IN THAT YEAR |      | DASHED = RECODIFICATION, NOT AMENDMENT |           |      |
| Nº                              | YEAR | ACT                                    | CHARACTER |      |
| 01                              | 1967 | c. 1007, s. 1                          | ENACTED   |      |
| 02                              | 1991 | c. 626, s. 8                           | AMENDED   |      |
| 03                              | 1997 | S.L. 1997-476, s. 10                   | AMENDED   |      |

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 80-8 (1997).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE  
(1967, c. 1007, s. 1; 1991, c. 626, s. 8; 1997-476, s. 10.)

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