

G.S. 150B-21.3A Report for 18 NCAC 02, GENERAL PROVISIONS

Agency - Department of the Secretary of State

Comment Period - 03/06/2017 through 05/06/2017

Date Submitted to APO - July 24, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - GENERAL PROVISIONS	18 NCAC 02 .0102	SECRETARY OF STATE	Amended Eff. April 1, 2003	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 02 .0104	AGENT FOR SERVICE OF PROCESS	Eff. February 1, 1976	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		18 NCAC 02 .0105	LAWS AND JOURNALS	Amended Eff. September 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0300 - TRADEMARKS	18 NCAC 02 .0301	DEFINITIONS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	37 C.F.R. §2.2 Definitions.	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 02 .0302	FORMS	Amended Eff. April 1, 2003	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 02 .0303	REGISTRATION	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. §§1051; 37 C.F.R. §2.32-§2.34 (a)(1)(i-v) Requirements for a complete trademark or service mark application.	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 02 .0304	ASSIGNMENT	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. §1060; 37 C.F.R. §3.1; USPTO Trademark Manual of Examining Procedure § 504 Automatic Updating of Ownership of Trademark Applications and Registrations in Trademark Database.	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 02 .0305	AUTOMATIC TRANSFER	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. §§1051; 37 C.F.R. §3.11 Documents which will be recorded; USPTO Trademark Manual of Examining Procedure § 504 Automatic Updating of Ownership of Trademark Applications and Registrations in Trademark Database.	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 02 .0306	NAME CHANGE	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. §§1051; 37 C.F.R. §3.11 Documents which will be recorded; USPTO Trademark Manual of Examining Procedure § 504 Automatic Updating of Ownership of Trademark Applications and Registrations in Trademark Database.	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 02 .0307	RENEWALS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. §§1051; 37 C.F.R. §2.181-§2.186 Term and Renewal.	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 02 .0308	OTHER CHANGES	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note