

Honolulu, Hawaii

MAR 24 2017

RE: H.B. No. 880
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 880, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a service mark licensing agreement program within the Department of Education; and
- (2) Authorize the Department of Education to register service marks for department programs and individual schools and enter into licensing agreements for the use of those marks.

Your Committee received testimony in support of this measure from the Department of Education and one individual.

Your Committee finds that sponsorships and partnerships between department schools and private entities can provide valuable resources and benefits for a broad range of educational activities, such as scholarships, field trips, sports teams, and clubs. The ability to register and license service marks and trademarks, and to engage in other commercial activities, will give department schools the power to pursue sponsorship



opportunities that support the educational mission of the school and the Department. Your Committee further finds that a licensing agreement program will provide department programs and schools a means of controlling the use of their service marks and trademarks by third parties.

Your Committee notes that, as it is the intent of this measure to encompass service marks and trademarks, the use of the term "mark" would more appropriately reflect that intent.

Accordingly, your Committee has amended this measure by:

- (1) Adding a definition of "mark" that includes all trademarks and service marks eligible for registration, whether registered or not;
- (2) Changing the term "service mark" to "mark" in all instances; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 880, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 880, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Education,



MICHELLE N. KIDANI, Chair



