

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VII. Crimes Against Property
Chapter 70: Other Offenses Against Property Rights
§ 1990.1. Definitions

Cite as: 21 CNCA § 1990.1

For the purposes of this act:

A. "Counterfeit mark" means:

1. any unauthorized reproduction or copy of intellectual property, and
2. intellectual property that is affixed to any item that is knowingly sold, offered for sale, manufactured or distributed or to any identifying services offered or rendered without the authority of the intellectual property owner;

B. "Intellectual property" means any trademark, service mark, trade name, label, term, device, design or word that is adopted or used by a person to identify that person's goods or services; and

C. "Retail value" means:

1. for items that bear a counterfeit mark and that are components of a finished product, the counterfeiter's regular selling price of the finished product on or in which the component would be utilized, or
2. for all other items that bear a counterfeit mark or services that are identified by a counterfeit mark, the counterfeiter's regular selling price for those items or services.

Historical Data

LA 36-21, eff. August 12, 2021.