

Opinion No. 44-4546

July 18, 1944

BY: C. C. McCULLOH, Attorney General

TO: Mrs. Cecilia Tafoya Cleveland, Secretary of State, Santa Fe, New Mexico

We are in receipt of your request for an opinion as to what fees should be charged for the registration of insignia.

Section 52-207 of the 1941 Compilation provides that:

"The fees of the Secretary of State for registration, alteration, cancellation, searches made by him, and certificates issued by him pursuant to this act, shall be the same as provided by law for similar services."

Section 3106 of the 1941 Compilation which provides for the fees to be charged by your office does not purport to set forth a charge for indexing or filing matters such as insignia, nor does it provide any fee for making the search. In fact, the only fee provided in that section which could be applicable is the fee of \$ 1.00 for each certificate and seal. However, Section 51-1201, providing for the filing and indexing of trade marks, together with the making of the necessary search, provides a fee of \$ 5.00.

In view of the foregoing, it is my opinion that a fee of \$ 5.00 for registering insignia would be a proper charge.

By ROBERT W. WARD,

Asst. Atty. General