added a third year to what had been a two-year curriculum and required students to pass final exams before they could advance to the next year or graduate. He was also instrumental in hiring professors who were not practicing lawyers or judges, an approach unheard of at the time.

In 1895 Langdell stepped down as dean of Harvard Law School. He continued to teach for five years before retiring in 1900. He died on July 6, 1906, at the age of 80.

FURTHER READINGS

CROSS REFERENCE
“Contracts” (Appendix, Primary Document).

LANHAM ACT
The Lanham Act of 1946, also known as the Trademark Act (15 U.S.C.A. § 1051 et seq., ch. 540, 60 Stat. 427 [1988 & Supp. V 1993]), is a federal statute that regulates the use of trademarks in commercial activity. Trademarks are distinctive pictures, words, and other symbols or devices used by businesses to identify their goods and services. The Lanham Act gives trademark users exclusive rights to their marks, thereby protecting the time and money invested in those marks. The act also serves to reduce consumer confusion in the identification of goods and services. In addition, the Lanham Act protects against trademark dilution, providing relief if someone uses someone else’s trademark in a way that reduces the quality of the trademark.

The Lanham Act was not the first federal legislation on trademarks, but it was the first comprehensive federal legislation. Before the Lanham Act, most of trademark law was regulated by a variety of state laws.

The first federal trademark legislation was passed by Congress in 1870 and amended in 1876. In 1879 the U.S. Supreme Court found that legislation unconstitutional. Two subsequent attempts at federal trademark legislation provided little protection for the rights of trademark users. The movement for stronger trademark legislation began in the 1920s and was championed in the 1930s by Representative Fritz Lanham of Texas. In 1946 Congress passed the act and named it the Lanham Act after its chief proponent. Lanham stated in 1946 that the act was designed “to protect legitimate business and the consumers of the country.”

The Lanham Act protected trademarks used in commerce and registered with the U.S. Patent and Trademark Office, outside of Washington, D. C. It expanded the types of trademarks that deserved legal protection, created legal procedures to help trademark holders enforce their rights, and established an assortment of rights that attached to qualified trademarks.

Congress has amended the act several times since 1946. The most sweeping changes came in 1988. Those changes included an amendment that authorized the protection of trademarks that had not been used in commerce but were created with the intent that they be used in commerce. Previously, there was a requirement that the marks actually be used.

Congress enacted the Trademark Dilution Revision Act of 2006, Pub. L. 109-312, to overturn a 2003 Supreme Court ruling that required a trademark holder to show that the defendant’s mark would cause actual dilution of the plaintiff’s mark. The act now only requires to show that the defendant’s mark was likely to cause dilution.

In 2003 the multi-national trademark system known as The Madrid Protocol was added to the Lanham Act. This allows foreign trademark applicants who seek protection of their trademarks under U.S. law to avoid having to prove use of the mark in the United States, as long there is a bona fide intent to use the mark. The foreign trademark must be registered in a country that is part of the protocol.

FURTHER READINGS
Curtis, Ted, and Joel H. Stempler. 1995. “So What Do We Name the Team? Trademark Infringement, the Lanham
LAX
The termination or failure of a right or privilege because of a neglect to exercise that right or to perform some duty within a time limit, or because a specified contingency did not occur. The expiration of coverage under an insurance policy because of the insured’s failure to pay the premium.

The common-law principle that a gift in a will does not take effect but passes into the estate remaining after the payment of debts and particular gifts, if the beneficiary is alive when the will is executed but subsequently predeceases the testator.

In its broadest sense, the term lapse describes the loss of any right or privilege because of the passage of time or the occurrence or nonoccurrence of a certain event. It is often used by legislatures in reference to governmental concerns. Legislatures may include anti-lapse provisions in statutes to ensure that certain spending programs remain funded from year to year. Lapse also has distinct significance in the law of insurance contracts and wills.

An insurance policy can lapse, or become void, if the insured fails to make payments on it. All states give insureds a grace period, which allows extra time to make a payment owed under a policy. The grace period varies from policy to policy. For example, in Maine the grace period is seven days for health insurance policies with weekly premiums, ten days for such policies with monthly premiums, and 31 days for all other such policies (Me. Rev. Stat. Ann. tit. 24-A, § 2707). The grace period in Maine is 30 days for life insurance policies (§ 2505).

Some statutes on insurance policy lapses provide a small measure of protection against lapse. For example, Maine revised statutes annotated, title 24-A, section 2739 (West 1995), states that no insurance company may cancel a health insurance policy within three months of nonpayment unless the insurer provides the insured with a notice of potential lapse within ten to 45 days after the premium was due. Section 4751 provides that in the event of a strike by insurance agents, no life or noncancelable health, hospital expense, or hospital and surgical expense insurance policy may lapse owing to nonpayment within 30 days of the strike’s inception. This law applies only if the agent is responsible for the collection of premiums and is represented in collective bargaining by a labor organization that has been recognized by the state.

A will is a document left by a deceased person, who is called a testator or devisor. A will allocates the property of a testator to living persons. If the intended recipient of a gift in a will (called a beneficiary or devisee) dies before the testator, the gift may lapse. This means that the gift is void and is placed back into the estate of the testator. The property becomes part of the residuum of the estate and may not be disposed of in the manner sought by the testator.

Almost all states have statutes that provide that in the event of a lapse, the gift should go to the issue, or lineal descendants, of the deceased devisee. If the beneficiary has no issue, then the gift is left in the estate of the testator.

In some states the anti-lapse statute applies only to grandparents of the testator and lineal descendants of the testator’s grandparents. For example, under the Maine revised statutes annotated, title 18-A, section 2-605 (West 1995), the issue of the deceased devisee may receive a gift intended for the deceased devisee, but only if they survived the testator by 120 hours.

LARCENY
The unauthorized taking and removal of the personal property of another by an individual who intends to permanently deprive the owner of it; a crime against the right of possession.

Larceny generally refers to nonviolent theft. It is a common-law term developed by the royal courts of England in the seventeenth century. In the United States most jurisdictions have eliminated the crime of larceny from statutory codes, in favor of a general theft statute.

The crime of larceny was developed to punish the taking of property in nonviolent face-to-face encounters, and to set it apart from robbery. Robbery involved some measure of