§ 208. Labels, brands and marks used by labor organizations. 1. A bona fide union or association of employees which has adopted a device in the form of a label, brand, mark, name or other character for the purpose of designating the products of the labor of its members may apply to the commissioner for the registration of such device.

2. An application for such registration shall be made on a form prescribed by the commissioner and shall be accompanied by a non-refundable filing fee of ten dollars. Notice of the filing of such application shall be given by the commissioner to interested persons and unions in such manner as the commissioner shall by rule prescribe. Within twenty days following the date of such notice of application, any union or aggrieved person may submit to the commissioner a written objection to the registration of the device. If no objection is submitted, the commissioner may register the device and issue a certificate of registration. Such certificate shall not be assignable.

3. If an objection to the registration is duly filed with the commissioner, the commissioner shall promptly refer the objection to the board of standards and appeals. Upon due notice the board shall conduct a hearing to determine whether the registration should be granted or denied. The board may deny registration on any of the following grounds:

a. That the union or association of employees filing the application for registration is not a bona fide union;

b. That the union or association of employees filing the application for registration is not the rightful owner thereof;

c. That the union or association of employees filing the application for registration has made misrepresentations concerning the device; or

d. That the device sought to be registered by the union or association of employees is so similar to a device previously registered by a union or association of employees that it is calculated to deceive.

4. On petition of a union or aggrieved person, the registration of any

device may be revoked by the board if it determines that the registration was granted improperly or was obtained fraudulently.

5. The determination of the board may be reviewed pursuant to the provisions of article seventy-eight of the civil practice law and rules.

6. The commissioner and the board shall promulgate appropriate rules and regulations to carry into effect the provisions of this section.