§ 209. Illegal use of labels, brands and marks; injunction proceedings. No person shall in any way use or display the label, brand, mark, name or other character, adopted by any such union or association as provided in section two hundred eight, without the consent or authority of such union or association; or counterfeit or imitate any such label, brand, mark, name or other character, or knowingly sell, dispose of, keep or have in his possession with intent to sell or dispose of any goods, wares, merchandise or other products of labor, upon which any such counterfeit or imitation is attached, affixed, printed, stamped or impressed, or knowingly sell, dispose of, keep or have in his possession with intent to sell or dispose of any goods, wares, merchandise or other products of labor contained in any box, case, can or package, to which or on which any such counterfeit or imitation is attached, affixed, printed, painted, stamped or impressed. If such device has been registered as provided in section two hundred eight, the union or association may maintain an action to enjoin the manufacture, use, display or sale of counterfeit or colorable imitations of such device, or of goods bearing the same, or the unauthorized use or display of such device, or of goods bearing the same, and the court may restrain such wrongful manufacture, use, display or sale, and every unauthorized use or display by others of the genuine device so registered and filed, if such use or display is not authorized by the owner thereof, and may award to the plaintiff such damages resulting from such wrongful manufacture, use, display or sale as may be proved, together with the profits derived therefrom.

A union or association which has registered a device as provided in section two hundred eight may maintain in an action in the supreme court to enjoin the manufacture, use, display or sale of a device which is calculated to deceive because of its similarity with a device filed by such union or association of members. In such action if it shall appear that the manufacture, use, display or sale of such device sought to be enjoined has not been authorized by the union or association of employees which has registered the device or that such device is so similar to a device previously registered that it is calculated to deceive, the court may restrain the manufacture, use, display or sale of such device and may revoke and cancel the registration of such device.

A person violating any of the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for not less than three months nor more than one year or by both such fine and imprisonment.