

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB673)

Received: 12/31/2003

Received By: agary

Wanted: 01/06/2003

Identical to LRB:

For: Phil Montgomery (608) 266-5840

By/Representing: Mike

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Fin. Inst. - banking inst.

Extra Copies:

Submit via email: YES

Requester's email: Rep.Montgomery@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Adding logo or symbol for bank name protection

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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		jdyer 01/06/2004		_____			

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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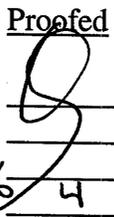
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1/?	rmarchan 12/31/2003 agary	1 1/6 jld		 6/4			

FE Sent For:

<END>

Marchant, Robert

From: Mathy, Michael
Sent: Monday, December 29, 2003 11:43 AM
To: Marchant, Robert
Subject: Drafting Request

Rob:

Congratulations on your appointment as Senate Chief Clerk!

Enclosed is an amendment drafting request on AB 673. It would be much appreciated if you could forward this proposed language appropriate drafting attorney in your office.

We intend to hold an executive session on AB 673 on January 8.

Thanks for your help.



Proposed
endment - Bank Loc

Mike Mathy
Legislative Assistant
Office of Representative Phil Montgomery
129 West, State Capitol
Tel: 608.266.5841

MEMORANDUM

TO: Daryll Lund
FROM: Jim Sheriff
DATE: December 19, 2003
RE: Amendment to Proposed Bank Name Protection Legislation

You asked that we prepare amendments to expand the proposed bank name protection legislation to cover logos of financial institutions. Accordingly, we propose the following amendments to the proposed bill as drafted by the Legislative Reference Bureau (our proposed changes are underlined):

1. Section 1 of the bill creating §186.035(1) of the Wisconsin Statutes should be revised to read as follows:

186.035 Deceptive or misleading use of credit union name or logo. (1) USE OF CREDIT UNION NAME OR LOGO FOR MARKETING PURPOSES. Except as provided in sub. (3), no person may use the name, logo or symbol of a credit union, or any combination thereof, or any name, logo or symbol that is deceptively similar to the name, logo or symbol of a credit union, in any marketing material provided to or solicitation of another person in a manner such that a reasonable person may believe that the marketing material or solicitation originated from or is endorsed by the credit union or that the credit union is responsible for the marketing material or solicitation.

2. Section 2 of the bill creating §214.035(4)(a) of the Wisconsin Statutes should be revised to read as follows:

214.035(4)(a) Except as provided in par. (c), no person may use the name, logo or symbol of a savings bank, or any combination thereof, or any name, logo or symbol that is deceptively similar to the name, logo or symbol of a savings bank, in any marketing material provided to or solicitation of another person in a manner such that a reasonable person may believe that the marketing material or solicitation originated from or is endorsed by the savings bank or that the savings bank is responsible for the marketing material or solicitation.

3. Section 3 of the proposed bill creating §215.26(10)(a) of the Wisconsin Statutes should be revised to read as follows:

215.26(10) Deceptive or misleading use of association name or logo. (a) Except as provided in par. (c), no person may use the name, logo or symbol of an association, or any combination thereof, or any name, logo or symbol that is deceptively similar to the name, logo or symbol of an association, in any marketing material provided to or solicitation of another person in a manner such that a reasonable person may believe that the marketing material or solicitation originated from or is endorsed by the association or that the association is responsible for the marketing material or solicitation.

4. Section 4 of the proposed bill creating §221.0404(1) of the Wisconsin Statutes should be revised to read as follows:

221.404 Deceptive or misleading use of bank name or logo. (1) USE OF BANK NAME OR LOGO FOR MARKETING PURPOSES. Except as provided in sub. (3), no person may use the name, logo or symbol of a bank, or any combination thereof, or any name, logo or symbol that is deceptively similar to the name, logo or symbol of a bank, in any marketing material provided to or solicitation of another person in a manner such that a reasonable person may believe that the marketing material or solicitation originated from or is endorsed by the bank or that the bank is responsible for the marketing material or solicitation.

1-5-03

Mike — Rep. Montgomery Financial Institutions

— hearing on January 8

— sent to Pol on 12-29

check status

amendment to AB673-

LRB-3273

based on 2 page document

Kreye, Joseph

From: Mathy, Michael
Sent: Monday, January 05, 2004 9:45 AM
To: Kreye, Joseph
Subject: FW: Drafting Request

Joe:

Enclosed is an amendment drafting request on AB 673.

If you have any questions on the amendment, please let us know.

Thanks for your help.



Proposed
endment - Bank Log

Mike Mathy
Legislative Assistant
Office of Representative Phil Montgomery
129 West, State Capitol
Tel: 608.266.5841

MEMORANDUM

TO: Daryll Lund
FROM: Jim Sheriff
DATE: December 19, 2003
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Needed
by 1/6
end of day

JW

A - Note

**ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 673**

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At the locations indicated, amend the bill as follows:

- 1. Page 1, line 2: after "name" insert ", logo, or symbol".
- 2. Page 1, line 4: after "a name" insert ", logo, or symbol".
- 3. Page 2, line 2: after "name" insert ", logo, or symbol".
- 4. Page 2, line 3: after "NAME" insert ", LOGO, OR SYMBOL".
- 5. Page 2, line 4: after "use the name" insert ", logo, or symbol, or any combination thereof".
- 6. Page 2, line 4: delete "a name" and substitute "any name, logo, or symbol, or any combination thereof".
- 7. Page 2, line 4: after "to the name" insert ", logo, or symbol".
- 8. Page 2, line 17: after "name" insert ", logo, or symbol".

1 **9.** Page 3, line 4: after “name” insert “, logo, or symbol, or any combination
2 thereof.” ✓

3 **10.** Page 3, line 5: delete “a name” and substitute “any name, logo, or symbol,
4 or any combination thereof.” ✓

5 **11.** Page 3, line 5: after “the name” insert “, logo, or symbol” ✓

6 **12.** Page 3, line 17: after “name” insert “, logo, or symbol” ✓

7 **13.** Page 3, line 23: after “NAME” insert “, LOGO, OR SYMBOL” ✓

8 **14.** Page 3, line 24: after “the name” insert “, logo, or symbol, or any
9 combination thereof.” ✓

10 **15.** Page 3, line 24: delete “a name” and substitute “any name, logo, or symbol,
11 or any combination thereof.” ✓

12 **16.** Page 3, line 25: after “name” insert “, logo, or symbol” ✓

13 **17.** Page 4, line 12: after “name” insert “, logo, or symbol” ✓

14 **18.** Page 4, line 18: after “name” insert “, logo, or symbol” ✓

15 **19.** Page 4, line 19: after “NAME” insert “, LOGO, OR SYMBOL” ✓

16 **20.** Page 4, line 20: before “of a bank, or” insert “, logo, or symbol, or any
17 combination thereof.” ✓

18 **21.** Page 4, line 20: delete “a name” and substitute “any name, logo, or symbol,
19 or any combination thereof.” ✓

20 **22.** Page 4, line 20: after “the name” insert “, logo, or symbol” ✓

21 **23.** Page 5, line 8: after “name” insert “, logo, or symbol” ✓

22
(END)

D - Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1900/1dn

ARG:.....

جل

ATTN: Mike Mathy

The drafting instruction memo includes non-underlined changes. The attached amendment includes these changes. Please advise if this is not consistent with your intent.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1900/1dn
ARG:jld:rs

January 6, 2004

ATTN: Mike Mathy

The drafting instruction memo includes non-underlined changes. The attached amendment includes these changes. Please advise if this is not consistent with your intent.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us