

2003 DRAFTING REQUEST**Senate Amendment (SA-SB326)**Received: **12/23/2003**Received By: **agary**Wanted: **Soon**

Identical to LRB:

For: **Dale Schultz (608) 266-0703**By/Representing: **jonathan**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: **Sen.Schultz@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

SA (bank name protection) to SB (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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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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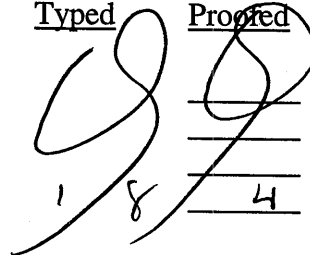
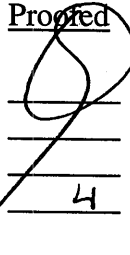
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FE Sent For:

<END>

Marchant, Robert

From: Klein, Jonathan
Sent: Tuesday, December 23, 2003 10:51 AM
To: Marchant, Robert
Subject: Bank Name Protection LRB-2289/2

Attached is proposed language for an amendment to the bank name protection bill (LRB-2289/2). At the request of the Community Bankers of WI, we agreed have the amendment drafted. Please get a hold of me if you have any questions.



SFXF215_1.pdf

Jonathan Klein
Office of Senator Dale Schultz
(800) 978-8008
(608) 266-0703

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.

1895/1
LRBa ~~1997~~
ARG ~~1997~~ *Stays*

Needed
by 1/9

R M N R

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

D-Note

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 2: after "name" insert ", logo, or symbol".
- 3 **2.** Page 1, line 4: after "a name" insert ", logo, or symbol".
- 4 **3.** Page 2, line 2: after "**name**" insert "**, logo, or symbol**".
- 5 **4.** Page 2, line 3: after "NAME" insert ", LOGO, OR SYMBOL".
- 6 **5.** Page 2, line 4: after "use the name" insert ", logo, or symbol, or any
- 7 combination thereof,".
- 8 **6.** Page 2, line 4: delete "a name" and substitute "any name, logo, or symbol,
- 9 or any combination thereof,".
- 10 **7.** Page 2, line 4: after "to the name" insert ", logo, or symbol".
- 11 **8.** Page 2, line 17: after "name" insert ", logo, or symbol".

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

1895
LRBa/1dn
ARG:jld:rs

January 6, 2004

↑
KEEP

> ATTN: [REDACTED] Jonathan Klein

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**

LRBa1895/1dn
ARG:jld:rs

January 8, 2004

ATTN: Jonathan Klein

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