

**HB0789/533390/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 789  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after the second “Names” insert “, Trademarks, Service Marks”; in line 4, after “of” insert “clarifying the entities that may use a name, title, or other words that represent that the person is authorized to do the business of banking in the State;”; in line 5, after the second “name” insert “, trademark, service mark”; strike beginning with the first “that” in line 5 down through “bank” in line 6 and substitute “or a term or design that is similar to the name, trade name, trademark, service mark, logo, or tagline of a certain bank”; in line 7, strike “the” and substitute “this”; in the same line, strike “a certain term” and substitute “certain terms”; and in line 8, after the second “name” insert “, trademark, service mark”.

AMENDMENT NO. 2

On page 2, in line 1, strike “or”; in the same line, after the second “bank” insert “, **OR SAVINGS AND LOAN ASSOCIATION**”; in line 4, after “(1)” insert “**(I)**”; in the same line, strike the first comma and substitute “**THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.**”

**(II) 1.**;

in the same line, strike “**BANK**” and substitute “**BANK**”; strike beginning with “**INCORPORATED**” in line 5 down through “**DEPOSITS**” in line 7 and substitute “**THAT IS AUTHORIZED TO DO BUSINESS**”; after line 8, insert:

**2. “BANK” INCLUDES ANY FARM CREDIT SYSTEM INSTITUTION IN THIS STATE.**

(Over)

**(III) “NAME” MEANS THE NAME, TRADE NAME, TRADEMARK, SERVICE MARK, LOGO, OR TAGLINE USED BY A BANK TO IDENTIFY ITSELF.”;**

in line 10, strike “, TRADE NAME, LOGO, OR TAGLINE”; strike beginning with “OR THE” in line 10 down through “TAGLINE” in line 11 and substitute “**OR ANY TERM OR DESIGN**”; in line 11, strike “THAT WHICH IS USED BY” and substitute “**THE NAME OF**”; in line 12, strike “THE” and substitute “**A**”; strike beginning with “IF” in line 13 down through “TAGLINE” in line 14 and substitute “**IN A MANNER THAT**”; in line 14, strike “BELIEVE” and substitute “**BE CONFUSED, MISTAKEN, OR DECEIVED**”; in line 17, after “(II)” insert “**ORIGINATED FROM SOMEONE AFFILIATED, CONNECTED, OR ASSOCIATED WITH THE BANK;**

**(III)**”;

in line 17, strike “ENDORSED” and substitute “**APPROVED OR SPONSORED**”; in line 18, strike “(III)” and substitute “**(IV)**”; in line 25, after “(2)” insert “**EITHER:**

**(I) ALL PROFITS ATTRIBUTABLE TO THE VIOLATION; OR**

**(II)**”;

in line 26, strike “REASONABLE” and substitute “**COURT COSTS AND REASONABLE**”; and in the same line, strike “AND COURT COSTS”.

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 7 on page 3, inclusive.

On page 3, in line 8, strike “(E)” and substitute “**(D)**”.