

**CHAPTER 1089****AREA EDUCATION AGENCY PROPERTY TRANSACTIONS***S.F. 2231*

**AN ACT** relating to the sale, lease, or disposal of property by area education agencies and providing area education agencies with certain exemptions for a real property transaction between an area education agency and a school district if the real property is within the jurisdiction of both the grantee and the grantor and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 273.3, Code 1993, is amended by adding the following new subsection:  
**NEW SUBSECTION. 20.** Be authorized to sell, lease, or dispose of, in whole or in part, property belonging to the area education agency. Before the area education agency may sell property belonging to the agency, the board of directors shall comply with the requirements set forth in sections 297.23 and 297.24. Before the board of directors of an area education agency may lease property belonging to the agency, the board shall obtain the approval of the director of the department of education.

Sec. 2. Section 297.22, subsection 1, unnumbered paragraph 4, Code 1993, is amended to read as follows:

The board of directors of a school district may sell, lease, exchange, give, or grant, and accept any interest in real property to, with, or from a county, municipal corporation, school district, ~~or township, or area education agency~~ if the real property is within the jurisdiction of both the grantor and grantee. In this case sections 297.15 to 297.20, sections 297.23 and 297.24, and appraisal requirements of this section do not apply to the transaction.

Sec. 3. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 19, 1994

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**CHAPTER 1090****REGISTRATION AND USE OF MARKS***S.F. 2232*

**AN ACT** relating to the registration and use of marks, including trademarks and service marks, and providing for fees.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 548.1, Code 1993, is amended to read as follows:

**548.1 DEFINITIONS.**

As used in this chapter, unless the context otherwise requires:

1. "Abandoned" means the occurrence of any of the following in relation to a mark:
  - a. The use of the mark has been discontinued with intent not to resume such use. Nonuse for two consecutive years shall constitute prima facie evidence of abandonment.
  - b. A course of conduct of the owner of the mark, including acts of omission as well as commission, causes the mark to lose its significance as a mark.
- 1 2. "Applicant" means a person filing an application for registration of a mark under this chapter, and the person's legal representative, successor, or assignee.
3. "Dilution" means the lessening of the capacity of a mark to identify and distinguish goods or services, regardless of the presence or absence of any of the following:
  - a. Competition between parties.