

CHAPTER 22**FINANCIAL INSTITUTION OR INSURER NAMES,
TRADEMARKS, LOGOS, OR SYMBOLS — PROHIBITED USE***S.F. 74*

AN ACT relating to financial institutions and insurers, by prohibiting the deceptive use of name, and providing remedies and penalties.

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

Section 1. NEW SECTION. 547A.1 DEFINITION.

As used in this chapter, unless the context otherwise requires, “financial institution” means the same as defined in section 527.2, and “insurer” means an insurer organized under Title XIII, subtitle 1, or similar laws of any other state or the United States.

Sec. 2. NEW SECTION. 547A.2 MISUSE OF NAME — PENALTY.

1. A person who uses the name, trademark, logo, or symbol of a financial institution or insurer in connection with the sale, offering for sale, distribution, or advertising of any product or service without the consent of the financial institution or insurer, if such use is misleading or deceptive as to the source of origin or sponsorship of, or the affiliation with, the product or service, is guilty of a serious misdemeanor.

2. A financial institution or insurer may bring an action to enjoin the misleading or deceptive use prohibited in subsection 1 and recover all damages suffered by reason of the prohibited use, including reasonable attorney fees. The financial institution or insurer may recover any profits derived from the prohibited use. The state agency with regulatory authority over the financial institution or insurer may also bring an action to enjoin the misleading or deceptive use prohibited in subsection 1. This subsection does not preclude any other remedy provided by law.

Approved April 13, 2005

CHAPTER 23**CIVIL RIGHTS COMMISSION —
SERVICE AND DELIVERY OF COMPLAINTS AND ORDERS***S.F. 215*

AN ACT modifying the certified mail requirement concerning the service and delivery of certain civil rights complaints and orders.

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

Section 1. Section 216.15, subsection 3, paragraph a, Code 2005, is amended to read as follows:

a. After the filing of a verified complaint, a true copy shall be served within twenty days by ~~certified mail~~ on the person against whom the complaint is filed. If the first named respondent on a complaint is not a governmental entity, service of a true copy on the respondent shall be by certified mail. An authorized member of the commission staff shall make a prompt inves-