



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Office of the Secretary of State

Subject of possible rule making: Trademarks

Statutes authorizing the agency to adopt rules on this subject: 19.77.115 RCW

Reasons why rules on this subject may be needed and what they might accomplish:
To clarify the Administrative Code Section on Trademark filings

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
None

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE
9/21/2015

NAME (TYPE OR PRINT)
Mark Neary

SIGNATURE

TITLE
Assistant Secretary of State

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 21, 2015

TIME: 9:34 AM

WSR 15-19-120

WAC 434-12-025 Document and specimen standards for trademark filing. (1) ~~((In addition to the requirements of WAC 434-112-040, the following rules apply to trademark filings.~~

~~(a))~~ Specimens submitted in support of a trademark filing must:

~~((i))~~ (a) Be of sufficient quality, size and clarity to allow the ((corporations)) division to create and maintain an accurate digital image of the specimen; and

~~((ii))~~ (b) Demonstrate that the trademark is in use in commerce; preliminary design artwork is not acceptable.

~~((b))~~ (c) Be in pdf (portable document format), if filing online.

(2) Specimens submitted in support of a trademark reservation:

~~((i))~~ (a) Must be of sufficient quality, size and clarity to allow the ((corporations)) division to create and maintain an accurate digital image of the specimen; and

~~((ii))~~ (b) May be in the form of preliminary design artwork so long as the design clearly describes the trademark to be reserved((-

+2)); and

(c) Must be in pdf format, if filing online.

(3) Corporations division staff may reject submissions ((that do not meet these requirements)) based on the following criteria:

(a) Application is incomplete;

(b) Application is in pencil or unable to be scanned as a readable image;

(c) Trademark is not distinguishable from another on file in the secretary's office by comparing:

(i) Similarity or dissimilarity of marks in their entirety to appearance; or

(ii) Similarity or dissimilarity of goods and services classifications.