

NEW SECTION. Sec. 10. Sections 1 through 8 of this act are each added to chapter 7.48A RCW.

Passed the House February 27, 1989.

Passed the Senate April 4, 1989.

Approved by the Governor April 19, 1989.

Filed in Office of Secretary of State April 19, 1989.

CHAPTER 71

[Senate Bill No. 5668]

JUVENILE PROCEEDINGS—VENUE

AN ACT Relating to venue of juvenile proceedings; amending RCW 13.40.060; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 60, chapter 291, Laws of 1977 ex. sess. as last amended by section 6, chapter 299, Laws of 1981 and RCW 13.40.060 are each amended to read as follows:

(1) ~~((Proceedings under this chapter shall be commenced in the county where the juvenile resides. However, proceedings may be commenced in the county where an element of the alleged criminal offense occurred if so requested by the juvenile or by the prosecuting attorney of the county where the incident occurred.))~~ All actions under this chapter shall be commenced and tried in the county where any element of the offense was committed except as otherwise specially provided by statute. In cases in which diversion is provided by statute, venue is in the county in which the juvenile resides or in the county in which any element of the offense was committed.

(2) ~~((If the hearing takes place in the county where an element of the alleged criminal offense occurred.))~~ The case and copies of all legal and social documents pertaining thereto may in the discretion of the court be transferred to the county where the juvenile resides for a disposition hearing. All costs and arrangements for care and transportation of the juvenile in custody shall be the responsibility of the receiving county as of the date of the transfer of the juvenile to such county, unless the counties otherwise agree.

(3) ~~((If the adjudicatory and disposition hearings take place in a county in which an element of the alleged offense occurred.))~~ The case and copies of all legal and social documents pertaining thereto may in the discretion of the court be transferred to the county in which the juvenile resides for supervision and enforcement of the disposition order. The court of the receiving county has jurisdiction to modify and enforce the disposition order.

(4) The court upon motion of any party or upon its own motion may, at any time, transfer a proceeding to another juvenile court when((:

~~(a))~~ there is reason to believe that an impartial proceeding cannot be held in the county in which the proceeding was begun(~~(; or~~
~~(b) It appears that venue is incorrect under this section)).~~

NEW SECTION. Sec. 2. This act shall take effect September 1, 1989.

Passed the Senate March 6, 1989.

Passed the House April 3, 1989.

Approved by the Governor April 19, 1989.

Filed in Office of Secretary of State April 19, 1989.

CHAPTER 72

[Substitute Senate Bill No. 5733]

TRADEMARK REGISTRATION AND PROTECTION

AN ACT Relating to trademark registration and protection; amending RCW 19.77.010, 19.77.020, 19.77.030, 19.77.040, 19.77.050, 19.77.080, 19.77.110, 19.77.130, 19.77.140, 19.77.150, and 19.77.900; adding new sections to chapter 19.77 RCW; and repealing RCW 19.77.100 and 19.77.120.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 211, Laws of 1955 and RCW 19.77.010 are each amended to read as follows:

As used in this chapter:

(1) "Applicant" means the person filing an application for registration of a trademark under this chapter, his legal representatives, successors, or assigns of record with the secretary of state;

(2) The term "colorable imitation" includes any mark which so resembles a registered mark as to be likely to cause confusion or mistake or to deceive;

(3) A "counterfeit" is a spurious mark which is identical with, or substantially indistinguishable from, a registered mark;

(4) "Dilution" means the material reduction of the distinctive quality of a famous mark through use of a mark by another person, regardless of the presence or absence of (a) competition between the users of the mark, or (b) likelihood of confusion, mistake, or deception arising from that use;

(5) "Person" means any individual, firm, partnership, corporation, association, union, or other organization;

~~((3))~~ (6) "Registered mark" means a trademark registered under this chapter;

(7) "Registrant" means the person to whom the registration of a trademark under this chapter is issued, his legal representatives, successors, or assigns of record with the secretary of state;

~~((4))~~ (8) "Trademark" or "mark" means any word, name, symbol, or device or any combination thereof adopted and used by a person to identify goods made or sold by him and to distinguish them from goods made or sold