
HOUSE BILL 2690

State of Washington

56th Legislature

2000 Regular Session

By Representatives Ballasiotes and O'Brien

Read first time . Referred to Committee on .

1 AN ACT Relating to the definition of intellectual property; and
2 amending RCW 9.16.005.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.16.005 and 1999 c 322 s 1 are each amended to read
5 as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Counterfeit mark" means:

9 (a) Any unauthorized reproduction or copy of intellectual property;
10 or

11 (b) Intellectual property affixed to any item knowingly sold,
12 offered for sale, manufactured, or distributed, or identifying services
13 offered or rendered, without the authority of the owner of the
14 intellectual property.

15 (2) "Intellectual property" means any trademark, service mark,
16 trade name, label including universal product code labels, sales
17 receipt, term, device, design, or work adopted or used by a person to
18 identify such person's goods or services. Intellectual property does

1 not have exclusive use rights to trade names registered under chapter
2 19.80 RCW.

3 (3) "Retail value" means the counterfeiter's regular selling price
4 for the item or service bearing or identified by the counterfeit mark.
5 In the case of items bearing a counterfeit mark which are components of
6 a finished product, the retail value shall be the counterfeiter's
7 regular selling price of the finished product on or in which the
8 component would be utilized.

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