

Opinion 96-6 (Redacted version)

May 13, 1996

“A” Credit Union

Subject: Your letter of May 7, 1996, regarding servicemarks;
Opinion No. 96-6

Dear:

The Director of the Department of Financial Institutions (“DFI”) examines and supervises credit unions pursuant to the Washington State Credit Union Act (“Act”), Chapter 31.12 of the Revised Code of Washington (“RCW”). As part of the Director’s duties, the Director approves applications for new credit union charters and for an amendment to a credit union’s articles of incorporation to change its name, in accordance with RCW 31.12.075 and .105, respectively.

Although we would probably counsel an applicant to rethink its name choice if we were aware of a clearly problematic situation, we do not have the authority to disapprove a new charter or name change because another credit union has the right to use the name. Consequently, we do not have the authority to undertake the servicemark protections you have requested in the second sentence of your letter.

For your further information, the DFI does not administer the Washington laws regarding trademarks, trade names, servicemarks, or similar matters. See, for example, Chapter 19.77 RCW on trademarks, and Chapter 19.80 RCW on tradenames. Chapter 19.77 is administered by the Washington Secretary of State, whose office can be reached at (360) 753-7115; Chapter 19.80 is administered by the Washington Department of Licensing, which can be reached at (360) 902-3600 or (900) 463-6000 (for name search service).

Sincerely,

Linda Jekel
Program Manager