**Section 3109.30 Procedural Guidelines**

a) Prior to a licensee transacting insurance business in this State under an assumed name, the licensee shall comply with the Assumed Business Name Act [805 ILCS 405].

b) Applicants operating under an assumed name shall notify the Department in writing of the assumed name under which the individual will be operating prior to doing business in this State. A name is not considered to be an assumed name for the purpose of this Part if it includes the individual's legal name under which the individual transacts business.

c) The assumed name of any individual or a firm name shall not be the same as, or deceptively similar to the name or designation adopted by an insurance company authorized to transact business in Illinois or by a licensee of this Department. The standard to be used for determining whether a name is deceptively similar is whether the use of the name is reasonably likely to confuse or mislead the public into the belief that the individual operating under an assumed name or a firm name is one and the same or closely associated with an insurance company licensed to transact insurance business in this State.

d) The words "Insurance Department," "Insurance Company," "Policy Department" and other similar words or phrases shall not be used in any assumed name or firm name. The words "Underwriters" and "Insurers" or other similar words or phrases shall not be used in any assumed name or firm name unless the word "agency" is included in the name and is appropriately positioned therein.

(Source: Amended at 26 Ill. Reg. 16514, effective October 28, 2002)