

304.3-100 Name of insurer.

- (1) No insurer shall be formed or authorized to transact insurance in this state which has or uses a name which is the same as or deceptively similar to that of another insurer already so authorized, without the written consent of such other insurer.
- (2) No life insurer shall be so authorized which has or uses a name deceptively similar to that of another insurer authorized to transact insurance in this state within the preceding ten (10) years if life insurance policies originally issued by such other insurer are still outstanding in this state, without the written consent of such insurer.
- (3) No insurer shall be formed or authorized to transact insurance in this state which has or uses a name the same as or deceptively similar to the name of any foreign insurer not so authorized if such foreign insurer has within the next preceding twelve (12) months signified its intention to secure an incorporation in this state under such name, or to do business as a foreign insurer in this state under such name, by filing notice of such intention with the commissioner, unless the written consent to the use of such name or deceptively similar name has been given by such foreign insurer.
- (4) No foreign insurer seeking admission to this state shall be authorized to transact insurance in this state which has or uses a name the same as or deceptively similar to that of a domestic corporation which has been incorporated as an insurer but has not yet secured a certificate of authority, until the expiration of three (3) years from the date of incorporation of such domestic corporation.
- (5) No insurer shall be so authorized which has or uses a name which tends to deceive or mislead as to the type of organization of the insurer.
- (6) In case of conflict of names between two (2) insurers, or a conflict otherwise prohibited under this section, the commissioner may, after notice to the other insurer, permit (or may require as a condition to the issuance of an original certificate of authority to an applicant insurer) the insurer to use in this state such supplementation or modification of its name or such business name as may reasonably be necessary to avoid the conflict.
- (7) Except as provided in subsection (6) of this section, an insurer shall conduct its business in the name under which the certificate of authority was issued.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 961, effective July 15, 2010. -- Created 1970 Ky. Acts ch. 301, subtit. 3, sec. 10, effective June 18, 1970.