



Companies Act 2006

2006 CHAPTER 46

PART 5

A COMPANY'S NAME

CHAPTER 3

SIMILARITY TO OTHER NAMES

Similarity to other name in which person has goodwill

69 Objection to company's registered name

- (1) A person (“the applicant”) may object to a company's registered name on the ground—
 - (a) that it is the same as a name associated with the applicant in which he has goodwill, or
 - (b) that it is sufficiently similar to such a name that its use in the United Kingdom [^{F1}or elsewhere] would be likely to mislead [^{F2}members of the public in the United Kingdom or elsewhere] by suggesting a connection between the company and the applicant.
- (2) The objection must be made by application to a company names adjudicator (see section 70).
- (3) The company concerned shall be the primary respondent to the application.
[^{F3}Any of the following may be joined as respondents—
 - (a) any member or person who was a member at the time at which the name was registered;
 - (b) any director or person who was a director at the time at which the name was registered.]

Status: Point in time view as at 04/03/2024.

Changes to legislation: Companies Act 2006, Section 69 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) If the ground specified in subsection (1)(a) or (b) is established, it is for the respondents to show—
- (a) that the name was registered before the commencement of the activities on which the applicant relies to show goodwill; or
 - ^{F4}(b)
 - (c) that the name was registered in the ordinary course of a company formation business and the company is available for sale to the applicant on the standard terms of that business; or
 - (d) that the name was adopted in good faith; or
 - (e) that the interests of the applicant are not adversely affected to any significant extent.

If none of those is shown, the objection shall be upheld.

- (5) If the facts mentioned in subsection (4)(a) ^{F5}... or (c) are established, the objection shall nevertheless be upheld if the applicant shows that the main purpose of the respondents (or any of them) in registering the name was to obtain money (or other consideration) from the applicant or prevent him from registering the name.
- (6) If the objection is not upheld under subsection (4) or (5), it shall be dismissed.
- (7) In this section “goodwill” includes reputation of any description.

Textual Amendments

- F1** Words in s. 69(1)(b) inserted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), **ss. 15(2)(a)**, 219(1)(2)(b); S.I. 2024/269, reg. 2(k)
- F2** Words in s. 69(1)(b) inserted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), **ss. 15(2)(b)**, 219(1)(2)(b); S.I. 2024/269, reg. 2(k)
- F3** Words in s. 69(3) substituted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), **ss. 15(3)**, 219(1)(2)(b); S.I. 2024/269, reg. 2(k)
- F4** S. 69(4)(b) omitted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by virtue of [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), **ss. 15(4)**, 219(1)(2)(b); S.I. 2024/269, reg. 2(k)
- F5** Word in s. 69(5) omitted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by virtue of [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), **ss. 15(5)**, 219(1)(2)(b); S.I. 2024/269, reg. 2(k)

Modifications etc. (not altering text)

- C1** Ss. 69-74 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, **12** (as amended (4.3.2024) by [The Limited Liability Partnerships \(Application of Company Law\) Regulations 2024 \(S.I. 2024/234\)](#), regs. 1(2), **10(2)**; S.I. 2024/269, **reg. 2(a)**)

Status:

Point in time view as at 04/03/2024.

Changes to legislation:

Companies Act 2006, Section 69 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.