



Ohio Revised Code

Section 1103.07 Bank name.

Effective: January 1, 2018

Legislation: House Bill 49 - 132nd General Assembly

(A) The name of a state bank:

(1) Shall include either of the following:

(a) "Bank," "banking," "company," or "co.";

(b) "Savings," "loan," "savings and loan," "building and loan," or "thrift."

(2) May include the word "state," "federal," "association," or, if approved by the superintendent of financial institutions, another term;

(3) Shall not, as determined by the superintendent, be likely to mislead the public as to the bank's character or purpose;

(4) Shall, as determined by the superintendent, be distinguishable from all names already recorded by existing financial institutions in this state or for which reservations under this section are in effect, unless the existing financial institution that earliest recorded a name from which the proposed name is not distinguishable, or the person that reserved a name from which the proposed name is not distinguishable, has filed its written consent with the superintendent and with the secretary of state pursuant to division (C) of section 1701.05 of the Revised Code.

(B) To reserve a name for a state bank to be organized under Chapter 1113. or 1114. of the Revised Code or for an existing state bank, a person shall submit to the superintendent a written application for the exclusive right to use a specified name. If the superintendent finds that the specified name satisfies the requirements for a state bank name and is available for use in accordance with this section, the superintendent shall endorse approval on the application and forward the reservation to the secretary of state for filing.



(C)(1) Reservation of a name pursuant to division (B) of this section gives the applicant the exclusive right to use the name as follows:

(a) If the reservation application is submitted to the superintendent prior to submitting an application to incorporate a new state bank or amended articles of incorporation or an amendment to the articles of incorporation, for one hundred eighty days after the date on which the secretary of state filed the reservation endorsed by the superintendent, and for one year after the date on which the secretary of state filed the reservation endorsed by the superintendent if the superintendent extends the reservation;

(b) If an application to incorporate a new state bank or amended articles of incorporation or an amendment to the articles of incorporation for an existing state bank is submitted to the superintendent concurrently with the reservation application or during the time a previously filed reservation remains in effect, from the date on which the secretary of state filed the reservation endorsed by the superintendent until the superintendent approves or disapproves the incorporation of the new state bank or the amended articles of incorporation or amendment to the articles of incorporation for an existing state bank.

(2) The superintendent shall, on behalf of a state bank or other person that has reserved a name pursuant to this section, endorse and forward to the secretary of state any additional name reservations required to maintain the reservation of the name under section 1701.05 of the Revised Code for as long as the name reservation is in effect pursuant to division (C)(1) of this section.

(D) For purposes of this section, a name is recorded if it is either of the following:

(1) The name of a bank, savings bank, or savings association in its articles of incorporation or articles of association on the records of the secretary of state, superintendent of financial institutions, office of the comptroller of the currency, or any of their successors;

(2) Registered as, or as part of, a trade name or service mark with the secretary of state.

(E)(1) Absent the express written permission of the state bank, no person shall use the name of a state bank in an advertisement, solicitation, promotional, or other material in a way that may mislead



another person, or cause another person to be misled, into believing that the person issuing the advertisement, solicitation, promotional, or other material is associated or affiliated with the state bank.

(2) A state bank injured by a violation of division (E)(1) of this section may bring an action in law or equity for recovery of damages, a temporary restraining order, an injunction, or any other available remedy.