

MAINE STATE LEGISLATURE

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May 6, 1958

Doris M. St. Pierre, Secretary

Real Estate Commission

George A. Wathen, Assistant

Attorney General

Trade Names

We have your request for an opinion regarding the following queries:

1. May the Real Estate Commission grant a broker's license to two people with the same trade name, when both are in the same agency?
2. May the Commission control trade names of licensees?

Section 26 of Chapter 181, Revised Statutes 1954, provides for the registration of partnerships and trade names. In the instant case, each of the applicants for renewal of a broker's license is using his or her own name and not adopting another name. It is my opinion that each applicant should be allowed the use of the name in this case, since it is a surname and not a name adopted for business purposes.

The Commission does not have any direct control of trade names, but in a specific instance if there appears to be an area of confusion by a request for a license, I would suggest you contact me with the facts.

George A. Wathen
Assistant Attorney General

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