**Section 178.140 Matters Not Considered**

Only the proposed name and the names of active limited liability companies or corporations (limited liability companies or corporations that have not been dissolved or revoked) are considered in determining name availability. Among the matters not considered are:

a) the purpose, location or relative size of the business;

b) the intent of the applicant;

c) any consent by a limited liability company or corporation bearing a similar title;

d) the names of other unincorporated entities;

e) the common law or statutory law of unfair competition, unfair trade practices, trade marks, trade names, service marks, service names, copyrights or any other right to the exclusive use of names or symbols;

f) the names of limited liability companies or corporations not on record with the Secretary of State;

g) whether the public may be likely to be deceived or misled by the resemblance of the proposed name to the name of other limited liability companies or corporations;

h) whether an existing limited liability company or corporation may possibly be injured by a resemblance of the proposed name;

i) any criteria of sound, including, but not limited to, phonetics derived from deliberate misspelling or otherwise.

(Source: Amended at 31 Ill. Reg. 8553, effective June 15, 2007)