**BUSINESS AND PROFESSIONS CODE**
**SECTION 14411-14418**

14411. The filing of any fictitious business name statement by a

person required to file such statement pursuant to Section 17910

shall establish a rebuttable presumption that the registrant has the

exclusive right to use as a trade name the fictitious business name,

as well as any confusingly similar trade name, in the county in which

the statement is filed, if the registrant is the first to file such

a statement containing the fictitious business name in that county,

and is actually engaged in a trade or business utilizing such

fictitious business name or a confusingly similar name in that

county.

 The rebuttable presumption created by this section shall be one

affecting the burden of producing evidence.

14412. The rebuttable presumption created by Section 14411 shall be

applicable until the fictitious business name statement is abandoned

pursuant to Section 17922, or otherwise expires pursuant to Section

17920, and no new fictitious business name statement has been filed

by the registrant, or in the case of any assignment or transfer no

original fictitious business name statement has been filed by the

assignee or transferee.

14413. For purposes of Section 14411 a fictitious business name

statement filed after January 1, 1971, and deemed filed on July 1,

1971, under Section 8 of Chapter 618 of the 1970 Statutes shall be

considered filed at the time a certificate was first filed under

Chapter 2 (commencing with Section 2466) of Title 10 of Part 4 of

Division 3 of the Civil Code, as it existed on the effective date of

the filing, provided that the certificate had not expired prior to

the filing under Chapter 5 (commencing with Section 17900) of Part 3

of Division 7 of the Business and Professions Code.

14414. Nothing in this chapter shall be construed to require or

prohibit the filing in any county of any fictitious business name

statement if such filing is not required or prohibited by Section

17910.