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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11]** ( *Heading of Division 3 added by Stats. 1939, Ch. 30.* )

**CHAPTER 4. Attorneys [6000 - 6243]** ( *Chapter 4 added by Stats. 1939, Ch. 34.* )

**ARTICLE 9.6. Legal Aid Organizations [6159.5 - 6159.53]** ( *Article 9.6 added by Stats. 2009, Ch. 457, Sec. 3.* )

**6159.5.** The Legislature hereby finds and declares all of the following:

- (a) Legal aid programs provide a valuable service to the public by providing free legal services to the poor.
  - (b) Private, for-profit organizations that have no lawyers have been using the name "legal aid" in order to obtain business from people who believe they are obtaining services from a nonprofit legal aid organization.
  - (c) Public opinion research has shown that the term "legal aid" is commonly understood by the public to mean free legal assistance for the poor.
  - (d) Members of the public seeking free legal assistance are often referred by telephone and other directory assistance information providers to for-profit organizations that charge a fee for their services, and there are a large number of listings in many telephone directories for "legal aid" that are not nonprofit but are actually for-profit organizations.
  - (e) The Los Angeles Superior Court has held that there is a common law trademark on the name "legal aid," which means legal services for the poor provided by a nonprofit organization.
  - (f) The public will be benefited if for-profit organizations are prohibited from using the term "legal aid," in order to avoid confusion.
- (*Added by Stats. 2009, Ch. 457, Sec. 3. (AB 590) Effective January 1, 2010.*)

**6159.51.** For purposes of this article, "legal aid organization" means a nonprofit organization that provides civil legal services for the poor without charge.

(*Added by Stats. 2009, Ch. 457, Sec. 3. (AB 590) Effective January 1, 2010.*)

**6159.52.** It is unlawful for any person or organization to use the term "legal aid," "legal aide," or any confusingly similar name in any firm name, trade name, fictitious business name, or any other designation, or on any advertisement, letterhead, business card, or sign, unless the person or organization is a legal aid organization subject to fair use principles for nominative, descriptive, or noncommercial use.

(*Added by Stats. 2009, Ch. 457, Sec. 3. (AB 590) Effective January 1, 2010.*)

**6159.53.** (a) Any consumer injured by a violation of Section 6159.52 may file a complaint and seek injunctive relief, restitution, and damages in the superior court of any county in which the defendant maintains an office, advertises, or is listed in a telephone directory.

(b) A person who violates Section 6159.52 shall be subject to an injunction against further violation of Section 6159.52 by any legal aid organization that maintains an office in any county in which the defendant maintains an office, advertises, or is listed in a telephone directory. In an action under this subdivision, it is not necessary to allege or prove actual damage to the plaintiff, and irreparable harm and interim harm to the plaintiff shall be presumed.

(c) Reasonable attorney's fees shall be awarded to the prevailing plaintiff in any action under this section.

(*Added by Stats. 2009, Ch. 457, Sec. 3. (AB 590) Effective January 1, 2010.*)