



State of Utah
SPENCER J. COX
Governor

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Lieutenant Governor

Insurance Department

JONATHAN T. PIKE
Insurance Commissioner

BULLETIN 2025-2

To: Utah Title Insurance Licensees
From: Jonathan T. Pike, Insurance Commissioner
Date: January 23, 2025
Subject: **Title Industry Self-Promotional Novelty Items**

This Bulletin supersedes Bulletin 2010-10.

Utah Admin. Code Rule [R592-6-4\(16\)](#) states that it is an unfair method of competition to:

- "(16) [Distribute] to a client, consumer, or member of the general public a self-promotional item that:
- (a) has a cost of more than \$25;
 - (b) is edible;
 - (c) does not contain a permanent marking identifying the title producer; or
 - (d) is personalized in the donee's name."

The plain language of the rule indicates that a "self-promotional" item, as opposed to a "promotional" item must, in and of itself, promote the title licensee. Therefore, any person examining the item should be able to determine who and/or what that item is promoting. Whether the item is preprinted, imprinted, emblazoned, etched, or otherwise, it must permanently bear the name, etc. of the title licensee being promoted in order to be considered self-promotional. Both the plain language of the rule and common business practice indicate that the term "self-promotional items" would bear the name of the licensee permanently printed on the item in such a manner to make the title licensee easily identifiable to any person seeing that item.

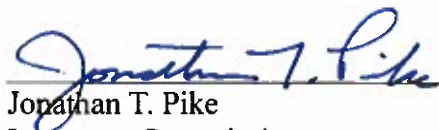
A self-promotional novelty item is a marketing tool distributed in the regular course of business. The item is relatively insignificant to the recipient but is a powerful marketing technique for the title licensee. The main purpose this token item fulfills is name recognition for the title licensee. Therefore, every time someone uses the self-promotional scratch pad, pen, or coffee mug, they see the title licensee's name emblazoned on the product. All self-promotional items must contain a permanent marking identifying the title producer. Stickers are considered a permanent marking and may be used. Business cards are not permanent and therefore may not be used.

The Department is often asked, "How am I supposed to find a gift for my client for under \$25?" Under the rule, a self-promotional novelty item is not a gift, a prize, or a means of compensating clients for their business. It is the Department's opinion that self-promotional items should be

incidental to a title licensee's marketing efforts and not the primary means of securing business. See [R592-6-4\(16\)](#) and [R592-6-4\(17\)](#).

The Department's website has a page specifically related to the title industry that contains information relating to issues that arise, such as the marketing issue. See <https://insurance.utah.gov/licensees/title/tec/>.

DATED this 23rd day of January 2025.



Jonathan T. Pike
Insurance Commissioner