Fictitious Business Name Statement Filing

Requirements for filing an FBN statement for all individuals and firms operating under a fictitious business name

Riverside County Assessor | County Clerk | Recorder

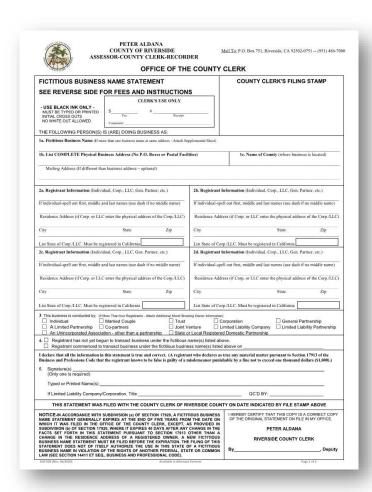
Peter Aldana



Purpose of FBN

To make available to the public the identities of those persons or business entities doing business under fictitious business names.

- It is NOT an exclusive reservation of the name
- County Clerk is REQUIRED to file any statement that meets the requirements and is accompanied by the required fee
- County Clerk is NOT AUTHORIZED to reject a statement on grounds that the particular FBN is already in use, or the statement was NOT presented for filing within the time specified in the B&P Section 17910



Who Must File?

Every individual, partnership and other associations, and corporations who regularly transact business for profit in this state under a fictitious business name.

Organizations NOT Included

- Nonprofit corporations or associations such as churches, labor unions, fraternal and charitable organizations, nonprofit hospitals etc.
- Real estate investment trusts with permits under Section 23000 of the Corporations Code



Definitions of an FBN

INDIVIDUALS

- A name that does not include the surname of the individual
- A name that suggests the existence of multiple owners
 - "Company"
 - "& Company"
 - "& Sons"
 - "& Associates"
 - "Brothers"

PARTNERSHIPS

or other associations of persons other than a limited partnership

- A name that does not include surname of each general partner
- A name that suggests existence of multiple owners
 - "Company", "Brothers" etc.

In the case of an unincorporated association other than a partnership, a "general partner" means a person whose liability in the business is substantially the same as a general partner.

LIMITED PARTNERSHIPS

 Any name including the name of the limited partnership on file with the Secretary of State

CORPORATIONS and LIMITED LIABILITY COMPANIES

 Any name including the Corporation name stated in the articles of incorporation or in the articles of organization of a limited liability company

When and Where

WHEN to file?

The statement must be filed not later than 40 days from the time business commences to be transacted.



WHERE to file?

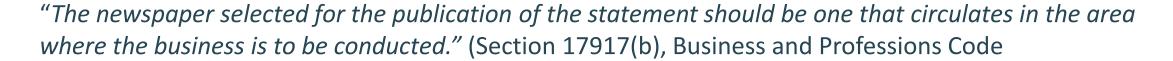
The fictitious business name statement shall be filed with the County Clerk of the County in which the registrant has his/her principal place of business.

If he/she has no place of business in California, it shall be filed with the County Clerk of Sacramento County.

Publication

Within 30 days after the statement is filed,

the registrant shall cause a statement to be published in a newspaper of general circulation in the county in which the principal place of business is located.



If the county has no newspaper of general circulation, it will be published in an adjoining county.

If the registrant does have a place of business in the state, publication will be made in Sacramento County.

An affidavit of publication shall be filed with the County Clerk within 30 days after the completion of publication.



Expirations

Unless the statement expires earlier under subdivision (b) or (c), a fictitious business statement expires five years from the date it is filed with the County Clerk. The new statement need not be re-published if there has been no change in the information contained in the statement previously filed.

A statement expires 40 days after any change in the facts set forth in the statement except that a change in the residence address of an individual, general partner, or trustee does not cause the statement to expire.

A statement expires when an abandonment has been filed.



Abandonments

A person who has filed a fictitious business name statement shall, upon ceasing to transact business in this state under that fictitious name, **file a statement of abandonment**, publish same and file an affidavit of publication.



Withdrawal of General Partner

A general partner in a partnership having a statement on file may file a **statement of withdrawal**, publish and file an affidavit of publication.

(Publication is not required if dissolution of the partnership has been published pursuant to the Corporations Code)

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Filing Fees

Filing Fees are as Follows:

\$66.00 - Fictitious Business Name Statement for one fictitious name and one registrant.

This fee covers the cost of filing, a plain copy for publication, and a certified copy for banking and business purposes of the filed statement.

- \$2.00 Each additional business name (doing business at the same address)
- **\$2.00** Each additional registrant name
- \$27.00 Statement of Abandonment
- \$27.00 Statement of Withdrawal from Partnership
- **\$2.00** Certified Copies of any statement on file



Corrections and Amendments

There are no provisions in the Business and Professions Code for amending or correcting a filed Statement.

It is the applicant's responsibility to be sure that all spelling is correct and legible, and that all information is complete. Once the document is filed, it cannot be corrected or amended.

No refunds will be given.



Questions?

www.rivcoacr.org

General Public Information (951) 955-6200 or (800) 746-1544

Exemptions (951) 413-2890

Business Personal Property (951) 955-6210

Mapping (951) 955-0400



Main Office

2724 Gateway Dr. Riverside, CA 92507 *M-F 8am-5pm*

Downtown Riverside

4080 Lemon St. First Floor Riverside, CA 92501

Riverside, CA 925 M-F 8am-5pm

Hemet

880 N. State St. Hemet, CA 92543 *M-F 8am-4:30pm*

Temecula

41002 County Center Dr. Suite 230 Temecula, CA 92591 *M-F 8am-4:30pm*

Palm Desert

38686 El Cerrito Rd. Palm Desert, CA 92211 *M-F 8am-4:30pm*

Blythe

38686 270 N. Broadway Blythe, CA 92225 *Tu/Th 8am-4:30pm*