

## Trade Name Registration Application

May not contain the word "corporation", "company", "incorporated", "limited liability company", or "limited", or an abbreviation of one of those words unless the owner is a corporation or limited liability company.

### **Trade Name:**

Consent to Use Trade Name:

It is not known if consent to use the name is needed from a business registered in ND

Consent to the name was obtained because the trade name is in conflict with a name registered in ND

Number of Consents:

### **Owner Information:**

Trade Name will be owned by:  
Name(s):

If Other:

Address:

City State Zip

State of Origin:

In or Out of State Corporation, Limited Liability Company, Cooperative.

Out of State Corporation, Limited Liability Company, Cooperative.

Name:

Address:

City State Zip

Not to be used by Franchiser

To be used by Franchiser

*Any person or company that intends to offer or sell franchises within ND or to ND residents must register with ND Securities Department*

Nature of Business:

Name of Owner:

Date:

## Directions:

### Trade Name

A Trade Name must be registered before the name is used to engage in business in North Dakota unless the name is the exact name of the registered business or the name includes the personal name of the individual.

Examples:

- "Hypothetical LLC" is registered with the Secretary of State as an LLC.
  - A Trade Name is not required to do business under the name "Hypothetical LLC."
  - A Trade Name is required to do business under the name "Hypothetical Retail." ("Hypothetical LLC" would be the owner of the Trade Name "Hypothetical Retail.")
- A sole proprietor wants to do business under his name - "John Public." Since Mr. Public is doing business under his first name and surname, a Trade Name is not required.

A Trade Name is also not required if a partnership has filed a fictitious name certificate.

The name may not be the same as, or deceptively similar to, any other business name, trade name, trademark, or service mark registered with the North Dakota Secretary of State.

Final determination for availability is made when a document is actually filed. Therefore, a business is advised to avoid investment or commitments in a business name until after a name registration is confirmed with the Secretary of State.

The name may not include such words as "bank", "banker", "banking", "trust", or "trust company", or any other similar words unless these articles are supported by a written approval for the use from the [North Dakota Department of Financial Institutions](#).

If multiple Consents are needed, each Consent is to be counted as one Consent. However, if the same holder is authorized to sign, these may be combined and counted as one Consent.