

Information & Instructions: Assumed names and assumed name certificates

PREVIEW

1. An assumed name is any name other than the name stated in a corporation's articles of incorporation.
2. A corporation must file an assumed name certificate with the Secretary of State and with the county clerk in the county where the corporation maintains its registered office and the county in which the principal office is located, if such county is different from the county of the registered office [Bus & Com C Section 36.11].
3. Any business desiring to market or advertise under a name that is different from its legal or corporate name is also required to file an assumed name certificate in the office of the county clerk of each county in which the business intends to operate.
4. The certificate must set forth the name under which the business is to be conducted, the name and address of each owner, and the length of time, not to exceed 10 years, that the assumed name will be used. The period of use may be extended beyond 10 years by filing renewal applications.
5. All assumed name certificates must be signed before a notary and must be filed in each county where the assumed name will be used.
6. Any corporation that regularly conducts business or renders professional services in Texas under an assumed name must comply with the assumed name procedures.
7. Unincorporated businesses or professions must file assumed name certificates in each county where business premises are maintained [see Bus & Com C Section 36.10].
8. If no business premises are maintained in any county, then the certificate is filed in each county where the entity conducts business or renders professional services.
9. Filing an assumed name certificate does not give the registrant the right to use a name when this use would be contrary to the common law or statutory law of unfair competition, unfair trade practices, or common law copyright [Texas Business & Commerce Code Section 36.17].
10. Assumed name certificates filed with the Secretary of State's office do not have to be notarized, however certificates filed with county clerks must still be acknowledged.

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THANK YOU

Form: Assumed names and assumed name certificates for an incorporated business or profession

**ASSUMED NAME CERTIFICATE
FOR AN INCORPORATED BUSINESS OR PROFESSION**

State of Texas **LegalFormsForTexas.Com**

County of _____

PREVIEW

I, _____, President of _____, a [specify state] corporation, for the purpose of complying with section 36.11 of the Texas Business and Commerce Code, do certify the following facts:

1. The assumed name under which the business or professional service is or is to be conducted or rendered is _____.
2. The name of the incorporated business or profession as stated in its articles of incorporation or comparable document is _____, and the charter number or certificate of authority number, if any, is _____.

3. The state, county, or other jurisdiction under the laws of which it was incorporated is _____, and the address of its registered or similar office in that jurisdiction is _____.

4. The period, not exceeding ten years, during which the assumed name will be used is _____.

5. The corporation is a [business corporation or nonprofit corporation or professional corporation or professional association or other type of corporation (specify), or other type of incorporated business, professional, or other association or legal entity (specify)].

6. If the corporation is required to maintain a registered office in Texas, the address of the registered office is _____ and the name of its registered agent at such address is _____.

The address of the principal office [if not the same as the registered office] is _____.

7. If the corporation is not required to or does not maintain a registered office in Texas, the office address in Texas is _____; and if the corporation is not incorporated, organized, or associated under the laws of Texas, the address of its place of business in Texas is _____.

and the office address elsewhere is _____.

8. The county or counties where business or professional services are being or are to be conducted or rendered under such assumed name are: [if applicable, use the designation all or all except _____].

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[Name and title]

State of Texas
County of _____

PREVIEW

This instrument was acknowledged before me on _____ by _____.

Signature of officer

Notary's typed or printed name

My commission expires:

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[or Notary's stamp]

THIS DOCUMENT

THANK YOU

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