

Filing a Fictitious Business Name

It's Important to Protect Your Name and Business

All new fictitious firm name statements must be filed and published every 5th year. These must be re-filed and published if you have made any change in your original filing. Re-filing and publishing must be done within 30 days if you have made any changes to name of business or address.

- Section 17900-17930 of the Business and Professions Code in effect January 1, 1971.

You **MUST** comply with the requirements of the Business and Professions Code, which states, "every person and every partnership transacting business under a fictitious firm name must file a fictitious business name statement stating the name in full and the place of residence of such person and the membership of such partnership." Such fictitious business name statements must be published once a week for four consecutive weeks. (Clerk's office will give you a list of the newspapers you are allowed to file in. You do not necessarily have to file in the same city as your business license is issued.)

If you have neglected this procedure, you are not entitled to entertain action in any court of law in the State of California. If someone else has the business name you have chosen and you have not filed for that name on a date prior to the other person's filing, you can be held liable for their business bills. Take care of this important matter as soon as possible.

To file or re-file a fictitious business name, contact:

Orange County Clerk's Office
12 Civic Center Plaza, Room 106
Santa Ana, CA 92701
(714) 834-3005
Hours: 8:00 a.m. - 4:30 p.m. Monday - Friday

Filing fees collected by the county are \$23.00 for the first name and \$7.00 for each additional name you may wish to hold.

A fictitious business name is any name that is not your own last name. If you use your own last name for your business name you **DO NOT** need to file a fictitious business name certificate with the county because your own name is not fictitious.

To open a bank account for your business you will need both a fictitious business name certificate and proof that you have filed for a business license.

A fictitious name certificate does not take the place of a business license.

Directions to County Clerk's Office: From Tustin City Hall, turn *Left* on 1st St., *Right* on N. Flower St., and *Right* on Civic Center Plaza. You will see the Hall of Finance & Records. Parking is available at the Old County Court House parking lot directly across from the Clerk's office.