

File with:	<b>VICTOR E. SALAZAR</b> <b>FRESNO COUNTY CLERK</b> <b>2221 Kern Street</b> <b>FRESNO, CA 93721</b> <b>(559) 488-3428</b>	(Space Below for Use by County Clerk Only)
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<b>FICTITIOUS BUSINESS NAME STATEMENT</b>
File No. _____

<b>THE FOLLOWING PERSON(S) IS(ARE) CONDUCTING BUSINESS AS</b>
<input type="checkbox"/> <b>NEW FILING</b> <span style="float: right;"><b>RENEWAL</b> <input type="checkbox"/></span>

1) Fictitious Business Name(s): (Type or Print)	Phone (Optional)
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Street Address, City, State, Zip Code, County of Principal Place of Business (P.O. Box not acceptable)

Mailing Address (if different than above)

2) Full Name of Registrant	Residence Address	Phone (Optional)
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3) Registrant commenced to transact business under the Fictitious Business Name(s) listed above on: <input type="checkbox"/> (Date)	4) Registrant has not yet commenced to transact business under the Fictitious Business Name(s) listed above. <input type="checkbox"/>	5) This business conducted by:
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6) <b>Articles of Incorporation</b> (If Applicable)	<input type="checkbox"/> This Statement has been executed pursuant to section 17919 of the Business and Professions code. (Do not publish this sentence unless box is checked).
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7) Type or Print Signature and Title	(Signed)
<b>“I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)”</b>	

**THE FILING OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN THIS STATE OF A FICTITIOUS BUSINESS NAME IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER FEDERAL, STATE OR COMMON LAW (SEE SECTION 14411 ET SEQ, BUSINESS AND PROFESSIONS CODE)**

8) Filed with the FRESNO COUNTY CLERK on: \_\_\_\_\_ NOTICE: THIS STATEMENT EXPIRES ON: \_\_\_\_\_

**VICTOR E. SALAZAR, COUNTY CLERK.**

**A NEW STATEMENT MUST BE FILED PRIOR TO THE EXPIRATION DATE.**

_____ County Clerk Admin	Space Below for Use of County Clerk Only – Do Not Publish Certification  <b>Certification</b> I hereby certify that the foregoing is a correct copy of the original on file in my office. DATED: FRESNO , California VICTOR E. SALAZAR, COUNTY CLERK  _____ Deputy
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Customer Copy      Bank Copy      Newspaper Copy      Expires On: \_\_\_\_\_  
 File No: \_\_\_\_\_ 1 of 1

# NOTICE PURSUANT TO SECTION 17924 OF THE BUSINESS AND PROFESSIONS CODE

Within 30 days after filing with the County Clerk, fictitious business name statement must be published in a newspaper once a week for four successive weeks and an affidavit of publication filed with the County Clerk within 30 days after publication has been completed. The statement should be published in a newspaper of general circulation in the county where the fictitious business name statement was filed. (Section 17917 Business and Professions Code).

**Any person who executes, files, or publishes any statement under Chapter 5 (Commencing with section 17900) of Part 3 Division 7 of the Business and Professions Code, knowing that such a statement is false, in whole or in part, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed five hundred dollar (\$500). (Section 17930 Business and Professions Code).**

NOTE: This statement filed under Chapter 5 (commencing with Section 17900) of Part 3 of Division 7 of the Business and Professions Code need not be published if it is being filed because a prior statement has expired under subdivision (a) of Section 17920 of the business and Professions Code unless there has been a change in the facts required in the expired statement (Section 17920(b) Business and Professions Code).

## SPECIAL INSTRUCTIONS

A fictitious business name statement may be executed, filed and published by the trustee in bankruptcy, guardian, conservator, executor, administrator, an assignee or purchaser or any time after bankruptcy, the incompetence or death of any individual or partner or the assignment or sale of the business where a failure to comply with Chapter 5 (commencing with Section 17900), Part 3 of division 7 of the Business and Professions Code would otherwise preclude the maintenance of an action to recover any sums due to the bankrupt, incompetence, deceased person, the partnership of which he was a member of the assignee or purchaser (Section 17919 Business and Professions Code).

## HOW TO FILL OUT THE FORM

(1) Insert the fictitious business name or names. If the registrant has a place of business in this state, insert the **street address and county** of his/her principal place of business in this state. If the registrant has no place of business in this state, insert the **street address and county** of his/her principal place of business outside this state and file with the Clerk of Sacramento County (B&P 17915). Mail Box and Post Office Box Numbers **are not acceptable** as a business address when used alone without a street address.

(2) If an individual, insert full name and residence address. If a partnership or other association of persons, insert full name and residence address of each general partner. If a trust, insert full name and residence address of each trustee. If a corporation, insert the name of the corporation as set out in the articles of incorporation and the state of incorporation. Attach additional pages if necessary, OR insert the name(s) of person(s) doing business under this fictitious business name as existed (a) immediately prior to the bankruptcy, incompetence or death or the assignment or sale of the business or (b) at the time they ceased to do business under this fictitious business name, whichever is the earlier.

(3) Enter the date if registrant has commenced to transact business under the Fictitious Business Name

(4) Check "NOT APPLICABLE" if registrant has not commenced to transact business at time of filing.

(5) This business conducted by...please specify the way you will be conducting the business.

If business name includes "Incorporated", "Corporation", "Inc.", or "Corp." registrant must be a corporation registered at the state level. If business name includes "Limited Liability Company", the abbreviations "LTD." And Co," or either of them,"LLC OR "LC" registrant must be a limited liability company. In either case, the County Clerk requires a copy of the articles of incorporation or organization. If filing as a state or local registered domestic partner, insert the full name and residence address of each domestic partner.

(6) If filing as a Corporation, Limited Liability Company, or a Limited Partnership please specify your articles of incorporation or organization.

Do not check this box unless filing as a trustee, guardian, conservator, executor, administrator, assignee or purchaser

### READ ALL SPECIAL INSTRUCTIONS BEFORE THIS BOX.

(7) If an individual, must be signed by an individual. If a partnership or other association of persons, must be signed by a general partner. If a trust must be signed by a trustee. If a corporation must be signed by an officer, (state title of officer). **OR** the person executing this statement shall sign the statement on behalf of the person(s) formerly doing business under the fictitious business name and state his full name and the street address of his principal place of business. If the registrant is a limited liability company, by a manager or officer. If filing a Limited Partnership, signed by a general partner. (B&P Section 17914). If state or local registered domestic partnership, by one of the domestic partners.

(8) For County Clerk use only

NOTE: **During the 5 year period if you should move the business location or change the way of conducting business a new filing is required.**

## DISCLAIMER

The office of the County Clerk assumes no responsibility for interpretation of statutes affecting the fictitious business name statement. See Chapter 5 (commencing with Section 17900), Part 3 of Division 7 of the Business and Professions Code.

## FILING INSTRUCTIONS & FEES

1. Submit Original & fees. If paying with a check or money order make payable to Fresno County Clerk. Mailing address:  
**2221 Kern Street, Fresno, Ca. 93721**
2. Filing and indexing a fictitious name and statement or renewal, including any affidavit of publication, furnishing one CERTIFIED COPY of the statement and mailing the notice of expiration.
  - a) The first business name on the statement and the name of one registrant.....\$35.00  
(B&P 17929(a), 17929(b))
  - b) Each additional business name on the statement **MUST** be doing business at the same location.....\$7.00  
(B&P 17929(a))
  - c) Each additional registrant name on the statement (B&P 17929(b)).....\$7.00

**“THIS BUSINESS CONDUCTED BY”  
What to List in Section 5  
of the Fresno County FBN Statement**

In this section of the form, insert whichever of the following best describes the organizational structure of the person(s) filing the form:

<b>List the following on the form</b>	<b>if you are</b>	<b>and attach</b>
An individual	An individual	N/A
Husband and wife	Husband and wife	N/A
A corporation	A for-profit business which has filed formal articles of incorporation with the Secretary of State	Copy of articles of incorporation showing Sec. of State approval
A limited liability company	Two or more individuals and/or businesses who have filed articles of organization with the Secretary of State to be a limited liability company	Copy of articles of organization showing Sec. of State approval
A limited partnership	Two or more individuals and/or businesses who have obtained a certificate from the secretary of State to operate as a limited partnership	Copy of certificate issued by Sec. of State certifying status as limited partnership
A trust	A for-profit business organized in the form of a trust	Copy of trust
A general partnership	Two or more individuals and/or businesses who have associated together to carry on a business for profit as co-owners for an indefinite time	N/A
Copartners	Two or more individuals and/or businesses who have associated together to carry on a business for profit as co-owners, but not for the indefinite time applicable to a general partnership	N/A
A joint venture	Two or more individuals and/or businesses who have associated together to carry out a single transaction or series of transactions as co-owners of a business for profit	N/A
An unincorporated association other than a partnership	Two or more individuals and/or businesses who have associated together to carry on a business for profit <u>other</u> than as co-owners, but without filing formal paperwork with the Secretary of State (this category includes an unincorporated joint stock association)	N/A
Domestic Partnership	A nonmarital relationship between two persons of the same or opposite sex who live together as a couple for a significant period of time	N/A

**B&P SECTION 17900: The purpose of this section is to protect those dealing with individuals or partnerships doing business under fictitious names, and is not intended to confer any right or advantage on individuals or firms that fail to comply with the law. The filing of a fictitious business name certificate is designed to make available to the public the identities of persons doing business under the fictitious name.**

## **DEFINITIONS OF A FICTITIOUS FIRM NAME**

**For Individuals:** A name that does not include the surname of the individual. A name that suggests existence of an additional owner (such as "Company," & Company" "Sons" "& Associates" "Brothers," but not the words that merely describe the business being conducted).

**For Partnerships:** or other associations of persons. A name that does not include the surname of each general partner or name that suggests existence of additional owners (such as "Company," "Brothers," etc.) in the case of an unincorporated association other than a partnership, a "Z" general partner" means a person whose liability in the business is substantially the same as a general partner.

**For Corporations:** A name not stated in its articles of incorporation.

**Organizations Not Included:** Non-profit corporations or associations such as churches, labor unions, fraternal and charitable organizations, etc., and real estate investment trusts with permits under Section 23002 of the Government Code which have statements on file designating agent for service of process.

### **PUBLICATION**

Within 30 days after the statement is filed, the registrant will publish it in a newspaper of general circulation in the county and the business area in which the principal place of business is located. The newspaper will publish the Fictitious Name Statement once a week for four consecutive weeks. Within 30 days of the completion of the publication an affidavit must be filed with the Fresno County Clerk.

### **EXPIRATION**

The fictitious Name Statement will expire five years after the date of filing the original application. In order to continue reserving the Business Name a new statement must be filed before the expiration date. The fee for renewing a Fictitious Name Statement is the same as for filing a new Fictitious Name Statement. Renewing a statement does not require publication if there are no changes in the facts from the previous application. A statement also expires when it is abandoned.

### **ABANDONMENTS**

A person who has filed a 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 with the County Clerk. Forms are available at the County Clerk's office.

### **WITHDRAWAL OF GENERAL PARTNER**

A general partner of a partnership having a statement on file may file a **STATEMENT OF WITHDRAWAL OF PARTNERSHIP**, publish and file an affidavit of publication with the County Clerk. This may be done as long as it does not change the status of the original filing. Publication is not required if dissolution of the partnership has been published pursuant to the Corporation Code. Forms are available at the County Clerk's office.

### **FEES**

The fee for filing a new Fictitious Name Statement or filing a Renewal is **\$35.00** for the first business name + one owner; **\$7.00** for each additional business name or partner. Filing a Statement of Abandonment or a Withdrawal of Partnership is **\$17.00**. We will provide a search for Fictitious Business Name statements received through the mail for a fee of **\$5.00** per business name filed (along with the filing fee of **\$35.00** for one business name and one owner and **\$7.00** for each additional business name or owner).

**MAKE CHECKS PAYABLE TO:  
FRESNO COUNTY CLERK**

**IF YOU HAVE ANY QUESTIONS OR WOULD LIKE MORE INFORMATION, REFER TO:  
CALIFORNIA BUSINESS & PROFESSIONS CODE  
BEGINNING WITH SECTION 17900**