



# HUMBOLDT COUNTY CLERK / RECORDER

825 FIFTH STREET, FIFTH FLOOR

EUREKA, CA 95501

(707) 445-7593

RECORDER\_TECH@CO.HUMBOLDT.CA.US

## Fictitious Business Name Statement Information

### FEES

Filing Fictitious Business Name:	\$50.00
Second and additional business name:	\$10.00
Second and additional registrant:	\$10.00
Abandonment & Withdrawals:	\$40.00

Make Check Payable to **Humboldt County Recorder**

### EXPIRATION

In accordance with subdivision (a) of section 17920 of the Business and Professions Code, a Fictitious Name Statement generally expires at the end of five (5) years from the date on which it was filed in the office of the County Clerk, except, as provided in subdivision (b) of section 17920, where it expires 40 days after any change in the facts set forth in the statement pursuant to sections 17913 other than a change in the residence address of a registered owner.

A new Fictitious Business Name Statement must be filed within 40 days of the expiration date.

This Office will send **no** notice of expiration.

### PUBLICATION REQUIREMENTS

Within 30 days after a Fictitious Business Name Statement has been filed, the registrant shall cause it to be published in a newspaper of general circulation in the county in which the principal place of business of the registrant is located or, if there is no such newspaper in that county, then in a newspaper of general circulation in an adjoining county. If the registrant does not have a place of business in this state, the notice shall be published in a newspaper of general circulation in Sacramento County.

The newspaper selected for the publication of the statement should be one that circulates in the area where the business is to be conducted.

For renewal of 5-year expiration, a new statement need not be published unless there has been a change in the information required in the expired statement.

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

The following is a list of newspapers of general circulation in Humboldt County:

MAD RIVER UNION  
(707) 826-7000

NORTH COAST JOURNAL  
(707) 442-1400

TIMES-STANDARD  
(707) 441-0500

FERNDALE ENTERPRISE  
(707) 786-3068

THE INDEPENDENT  
(707) 923-4205

TWO RIVERS TRIBUNE  
(530) 625-4344

#### **PURPOSE OF FILING – B&P CODE 17900(a)(1)**

The filing is designed to make available to the public the identities of those persons doing business under the fictitious name.

#### **REQUIREMENTS FOR FILING THE FICTITIOUS BUSINESS NAME (FBN) STATEMENT – B&P CODE 17910,17915,17920**

Every person who regularly transacts business in this state for profit under a fictitious business name shall file a fictitious business name statement not later than 40 days from the time they commence to transact such business. The registrant shall file a new statement on or before the date of expiration of each FBN statement or after any change in the facts (except for a change of residence address). The statement shall be filed with the clerk of the county in which the principal place of business is located. If the principal place of business is outside of the state, the statement shall be filed with the Clerk of Sacramento County.

#### **INSTRUCTIONS FOR COMPLETING THE STATEMENT – B&P CODE 17913**

Insert the fictitious business name. If you want to file more than one business name, number each name and use the clerk's "Additional Names Information" form to list additional names. Only those businesses operated at the same address and under the same ownership may be listed on one statement.

The name cannot include Corporation, Corp., Incorporated, or Inc., unless the registrant is a corporation.

The name cannot include the initials LLC, LC or the words limited liability company (whether using the complete words or the abbreviations Ltd. Or Co.), unless the registrant is a limited liability company registered with the State.

The name cannot include limited partnership of LP, unless the registrant is a limited partnership registered with the State.

The name cannot include registered limited liability partnership or RLLP, unless the registrant is a registered limited liability partnership registered with the State.

The name cannot include limited liability partnership of LLP, unless the registrant is a limited liability partnership registered with the State.

The name cannot include college or university, unless the registrant is authorized pursuant to Education Code 94050.

Insert the street address of the principal place of business in this state. (Mailing address such as P.O. Box, private mailbox (PMB), postal drop box, mailing suite, or c/o addresses are not acceptable). If the registrant has no place of business in this state, insert the street address of the principal place of business outside the state; a statement must be filed with the Clerk of Sacramento County. Insert the mailing address, if applicable. A private mailbox address (e.g., Mail Boxes Etc.) MUST include the letters PMB and box number following the street name.

List the name of EACH registrant (owner/partner) and their current residence address. Use the clerk's "Additional Names Information" form to list additional names of registrants:

**Individual:** Insert name (first, middle initial, last) and current residence address\* of the individual. **A Married Couple:** Insert the name (first, middle initial, last) and residence address of both parties to the marriage. **Partnership or other association of persons:** Insert name (first, middle initial, last) and current residence address\* of EACH general partner. **Domestic Partners:** Insert name (first, middle initial, last) and current address of EACH domestic partner. **Corporation:** Insert the name and address of the corporation as set out in the articles of incorporation on file with the California Secretary of State and the state of incorporation. **Limited Liability Company:** name and address of the limited liability company, as set out in its articles of organization on file with the California Secretary of State, and the state organization. **Trust:** enter the name (first, middle initial, last) and current residence address\* of EACH trustee.

**Note:** System will only capture the middle initial in a name even if a complete middle name is submitted.

\* (Mailing addresses such as P.O. Box, PMB, postal drop box, mailing suite, and c/o addresses are not acceptable).

Indicate whichever best describes ownership of the business.

If the registrant(s) has/have already commenced to transact business under the fictitious business name, check the first box and enter the date the business transactions began. If the registrant(s) has/have not yet commenced to transact business under the fictitious business name, check the second box and do not enter a date. Our computer records for you FBN Statement, displaying the date the registrant commenced to transact business, will show "Not Applicable".

Individual: The individual must sign.

Married Couple: A party to the marriage must sign.

Domestic partners: One of the domestic partners must sign.

Partnership, Joint Venture or other Association of persons: A general partner must sign.

Trust: A trustee must sign.

Corporation: A corporate office must sign and indicate his/her title. (Signature of an agent or an assistant officer is **not** acceptable.)

Limited Liability Company: An officer or manager must sign and indicate his/her title. (Signature of an agent is **not** acceptable.)

#### **REQUIREMENTS FOR PUBLISHING THE FICTITIOUS BUSINESS NAME (FBN) STATEMENT – B&P CODE 17917,17920,17924, GOV'T CODE 6064**

Within 30 days after the fictitious business name statement has been filed with the county clerk, the statement must be published in a newspaper of general circulation in the county where the fictitious business name statement is filed. The newspaper selected should be one that circulates in the area where the business is to be conducted. The statement must be published once a week for four (4) successive weeks with at least five days between each date of publication. An affidavit of publication must be filed with the clerk where the fictitious business name statement was filed within 30 days after the completion of the publication. If a refiling is required because the prior statement has expired, the refiling need not be published unless there has been a change in the information required in the expired statement, providing the refiling is filed within 40 days of the date the statement expired.

#### **EXPIRATION OF FICTITIOUS BUSINESS NAME STATEMENT – B&P CODE 17920**

- (a) Unless the statement expires earlier under subdivision (b) or (c), a fictitious business name statement expires five years from the date it was filed in the office of the county clerk.
- (b) Except as provided in Section 17923, a fictitious business name statement expires 40 days after any change in the facts set forth in the statement pursuant to Section 17913, except that a change in the residence address of an individual, general partner, or trustee does not cause the statement to expire.
- (c) A fictitious name statement expires when the registrant files a statement of abandonment of the fictitious business name described in the statement.

#### **STATEMENT OF ABANDONMENT – B&P CODE 17922**

Upon ceasing to transact business in this state under a fictitious business name that was filed in the previous five years, a person who has filed a fictitious business name statement shall file a statement of abandonment of use of fictitious business name. The statement shall be executed in the same manner as a fictitious business name statement and shall be filed with the county clerk of the county in which the person has filed their fictitious business name statement. The statement shall be published in the same manner as a fictitious business name statement and an affidavit showing its publication shall be filed with the county clerk after the completion of publication.

#### **FILING FALSE STATEMENT – B&P CODE 17913(c)**

The registrant shall declare that all of the information in the statement is true and correct. A registrant who declares as true any material pursuant to this section that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1000).

#### **PUBLIC RECORD – GOV'T CODE SECTIONS 6250-6277**

All Fictitious Business Name Statements filed with the County Clerk are public record pursuant to the California Public Records Act.

#### **TRUSTEES, GUARDIANS, ADMINISTRATORS, ASSIGNEES AND PURCHASERS – B&P CODE 17919**

Whenever failure to comply with the law would preclude taking legal action to recover monies due, a trustee in bankruptcy, an administrator of the estate, an assignee, or purchaser of the business may file the fictitious business name statement.