



PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER
www.riversideacr.com

Assessor
(951) 955-6200

County Clerk-Recorder
(951) 486-7000

Mailing Address
P.O. Box 751
Riverside, CA 92502-0751

**INFORMATION FOR ALL INDIVIDUALS AND FIRMS OPERATING
UNDER FICTITIOUS NAMES:
REQUIREMENTS FOR FILING FICTITIOUS BUSINESS NAME STATEMENT**

Chapter 5 (commencing with Section 17900) of Part 3 of Division 7 of the Business and Professions Code, requires the filing of a Fictitious Business Name Statement.

WHO MUST FILE (17910 B&PC)

Every individual, partnership and other associations and corporations who regularly transact business for profit in this state under a fictitious business name.

DEFINITIONS OF A FICTITIOUS BUSINESS NAME (17900 B&PC)

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

FOR PARTNERSHIPS or other associations of persons other than a limited partnership: A name that does not include surname of each general partner or a name that suggests existence of additional owners (such as "Company," "Brothers," etc.). In the case of an unincorporated association other than a partnership, a "general partner" means a person whose liability in the business is substantially the same as a general partner (17901 B&PC). **Limited Partnerships** – any name other than the name of the limited partnership as on file with the Secretary of State.

FOR CORPORATIONS and LIMITED LIABILITY COMPANIES: Any name other than the corporation name stated in its articles of incorporation; or articles of organization of a limited liability company.

ORGANIZATIONS NOT INCLUDED (17911 B&PC): Non-profit corporations or associations such as churches, labor unions, fraternal and charitable organizations, non-profit hospitals, etc.; and, real estate investment trusts with permits under Section 23000 of the Corporations Code.

WHEN TO FILE (17910 B&PC)

The statement must be filed not later than 40 days from the time business commences to be transacted.

WHERE TO FILE (17915 B&PC)

The fictitious business name statement shall be filed with the County Clerk of the County in which the registrant has his/her principal place of business. If he/she has no place of business in California, it shall be filed with the County Clerk of Sacramento County.

PUBLICATION (17917 B&PC)

Within thirty days after the statement is filed, the registrant will publish it in a newspaper of general circulation in the county in which the principal place of business is located. "The newspaper selected for the publication of the statement should be one that circulates in the area where the business is to be conducted." (Section 17917(b), Business and Professions Code)

If the county has no newspaper of general circulation, it will be published in an adjoining county. If the registrant does not have a place of business in the state, publication will be made in Sacramento County.

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



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EXPIRATIONS (17920 B&PC)

Unless the statement expires earlier under subdivision (b) or (c), a fictitious business statement expires five years from the date it is filed with the County Clerk. The new statement need not be re-published if there has been no change in the information contained in the statement previously filed.

A statement expires 40 days after any change in the facts set forth in the statement except that a change in the residence address of an individual, general partner, or trustee does not cause the statement to expire.

A statement expires when an abandonment has been filed.

ABANDONMENTS (17922 B&PC)

A person who has filed a fictitious business name 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. Forms for this purpose are available in the County Clerk's Office.

WITHDRAWAL OF GENERAL PARTNER (17923 B&PC)

A general partner in a partnership having a statement on file may file a statement of withdrawal, publish and file an affidavit of publication. (Publication is not required if dissolution of the partnership has been published pursuant to the Corporations Code.) Forms for this purpose are available in the County Clerk's Office.

TRUSTEES, GUARDIANS, ADMINISTRATORS, ASSIGNEES AND PURCHASERS (17919 B&PC)

Whenever failure to comply with this 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 name statement.

FEES

The fee for filing a fictitious business name statement is \$66.00 for the first fictitious name plus \$2.00 for each additional fictitious name on statement and doing business at same address. This fee covers the cost of one registrant and a certified copy of the filed statement. Additional registrants are \$2.00 each.

The fee for filing a statement of abandonment is \$27.00.

The fee for filing a statement of withdrawal from partnership is \$27.00.

Certified copies of any statement on file will be furnished for a fee of \$2.00.

There are no provisions in the Business and Professions Code for amending or correcting a filed Statement. Therefore, it is the applicant's responsibility to be sure all spelling is correct and legible, and all information is complete. Once the document is filed, NOTHING on the document can be changed. **No refunds will be given.**

DISCLAIMER

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

ADDRESS OF COUNTY CLERK

In Western Riverside County the statement may be filed in person at 2720 Gateway Dr., Riverside, 92507; 4080 Lemon St., 1st floor, Riverside, 92501; 880 N. State St., Ste. B-6, Hemet, 92543; 41002 County Center Dr., #230, Temecula, 92591; **or by mail** to P.O. Box 751, Riverside, CA. 92502-0751. In Eastern Riverside County the statement may be filed in person at 38686 El Cerrito Road, Palm Desert, 92211, or at 270 N. Broadway, Blythe, 92225. For hours of operations please visit our website at www.riversideacr.com.