

ASSUMED NAME CERTIFICATES

Section 36.02 of the Texas Business and Commerce Code ("the Code"), defines "assumed name" as:

- (a) in the case of an individual, a name that does not include the surname of the individual;
- (b) in the case of a partnership, a name that does not include the surname or other legal name of each joint venturer or general partner;
- (c) in the case of an individual or a partnership, a name, including a surname, that suggests the existence of additional owners by including words such as "Company," "& Company," "& Son," "& Sons," "& Associates," "Brothers," and the like, but not words that merely describe the business or professional service being conducted or rendered;
- (d) in the case of a limited partnership, any name other than the name stated in its certificate of limited partnership;
- (e) in the case of a company, any name used by the company;
- (f) in the case of a corporation, any name other than the name stated in its articles of incorporation or association or comparable document.

1. A sole proprietorship or partnership business that is not incorporated, but is using an assumed name must file an assumed name certificate with the county clerk in the county in which they are located.
2. A corporation, limited partnership, or limited liability company doing business under an assumed name must file an assumed name certificate with the Secretary of State, in addition to their county clerk in accordance with Section 36.11 of the Code.
3. For purposes of filing with the Secretary of State, the corporation should submit an originally executed assumed name certificate accompanied by the filing fee of \$25.00 to:

Secretary of State
Statutory Filings Division
Corporation Section
P. O. Box 13697
Austin, Texas 78711-3697
(512)463-5555
(800)735-2989
Fax (512)463-5709