

## DOING BUSINESS AS, NEW CHANGES

### **ASSUMED BUSINESS NAME ACT – ASSUMED BUSINESS NAME CERTIFICATE**

Also known by nicknames such as *Doing Business As (DBA)*, *Certificate of Assumed Name* or a *Fictitious Name*

**GS 66-71.5** – The complete text is available on the NC Legislature website at [https://www.ncleg.net/EnactedLegislation/Statutes/PDF/ByArticle/Chapter\\_66/Article\\_14A.pdf](https://www.ncleg.net/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_66/Article_14A.pdf)

**GS 66-71.5 NEW**, as of Dec. 1, 2017 – One can file an Assumed Business Name Certificate still with his/her county Register of Deeds and then that office will send proof of the business name filing to the NC Secretary of State. This allows the Secretary to oversee the master business database for NC. **Any business that filed before December 1, 2017, must re-file by Dec. 1, 2022**, or the business name will be terminated or deleted, thus a business will not legally be compliant to use it.

#### WANT TO LEARN MORE?

**View the webinar presentation about the changes - <https://tinyurl.com/ydfxyv5q>**

*Presenters: NC Deputy Secretary of State Haley Haynes and Business Link NC (BLNC) Manager Holly Yanker, in partnership with Small Business Technology Center (SBTDC):*

Go to <https://edpnc.com/start-or-grow-a-business/start-a-business>. Scroll down to “Re-register your business name before someone else does!” and click on hyperlink to listen or obtain the slides;

OR click on <https://tinyurl.com/ydfxyv5q>

#### DETAILS ABOUT THE PROCESS

Go to or click on <http://www.blnc.gov/start-your-business/business-forms>

Select “**A**” – **Assumed Business Name Certificate** – If you filed before December 1, 2017, as a Sole Proprietor or General Partnership or as a DBA under an existing LLC or Corporation, then you **must re-file before Dec. 1, 2022**.

#### Why the need for this new submission?

All Assumed Business Names registered prior to Dec. 1, 2017, will expire on Dec. 1, 2022. You do not need to withdraw the name or do anything except re-file utilizing the Assumed Business Name Certificate found via BLNC’s Business Forms page.

On Step 6 of the form, make sure to select “All 100 North Carolina counties.” The Act authorizes the creation of a master business database with “Assumed Business Names,” overseen by the Secretary of State. Marking this box ensures the business’ name is registered state-wide.

#### Process:

- a. Complete and print the Assumed Business Name Certificate form
- b. Take the completed form to your local county Register of Deeds office. There is a one-time registration fee of \$26.00 that must also be paid. The Registrar will file the new form.
- c. The Registrar will submit a copy to the NC Secretary of State for the new master business name database.

#### NORTH CAROLINA

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d. About two weeks after filing, you can check if your business is listed on the master site by clicking on [NC State Registration Database](#) or go to [https://www.sosnc.gov/online\\_services/search/by\\_title/Business\\_Registration](https://www.sosnc.gov/online_services/search/by_title/Business_Registration)

**Benefits of the new requirement:**

On one form, you can now register *up to five business names* for only one fee of \$26. Historically, it was one business name per form.

When you re-file the Assumed Business Name Certificate, names are valid throughout North Carolina instead of in one specific county only.

No notary public stamp is required, which makes the process more convenient and less expensive.

The \$26 fee is a one-time payment. No additional renewal fees are required.

After you file with your county Register of Deeds, there's no further work for you to do. The registrar will submit proof to the NC Secretary of State to list on the online database.

The NC Secretary of State's database will become the master database of all businesses. Previously, each of the 100 counties had its own database and none of them "talked to each other," so the information wasn't available in other counties, much less state-wide. The master database will also be searchable online by the public.

**To view on the Secretary of State's website:**

Any DBA filed from December 1, 2017, to present can be found by clicking on [https://sosnc.gov/online\\_services/assumed\\_name/search/id](https://sosnc.gov/online_services/assumed_name/search/id) and entering the Assumed Business Name.