



Larry Walker
 Auditor/Controller-Recorder,
 County Clerk
 222 W. Hospitality Lane, 1st Floor
 San Bernardino CA 92415-0022
 (909) 386-8970 or (909) 386-8969

Space above for County Clerk use only

FICTITIOUS BUSINESS NAME STATEMENT

FILING **ABANDONMENT: County & Date of Original Filing** _____

Fee \$35.00 Includes up to one partner
 \$ 7.00 ea. additional FBN name filed on same statement and operating at same location.
 \$ 7.00 ea. additional partner

Please **TYPE** or **PRINT** legibly and firmly in **BLACK** ink. See reverse side for filing and publishing instructions. The determination whether or not publication is required by law is ENTIRELY THE RESPONSIBILITY OF THE REGISTRANT. **Neither the County Clerk nor his deputies are permitted by law to give legal advice and/or assistance.** THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS:

1 LIST FICTITIOUS BUSINESS NAME(S) BELOW:

2 Street Address of Principal Place of Business (P.O. Box or PMB address NOT acceptable) City State Zip Code

Mailing Address (Optional) City State Zip Code

3 (1) Full Name of Registrant (If a corp., LLC, etc., enter complete name and state of incorporation/organization/registration): State of Incorp./Org/Reg. Incorp./Org/Reg. #
 Residence Street Address (Mailing address is NOT acceptable) City State Zip Code

(2) Full Name of Registrant (If a corp., LLC, etc., enter complete name and state of incorporation/organization/registration): State of Incorp./Org/Reg. Incorp./Org/Reg. #
 Residence Street Address (Mailing address is NOT acceptable) City State Zip Code

(3) Full Name of Registrant (If a corp., LLC, etc., enter complete name and state of incorporation/organization/registration): State of Incorp./Org/Reg. Incorp./Org/Reg. #
 Residence Street Address (Mailing address is NOT acceptable) City State Zip Code

4 (CHECK ONE ONLY) This business is/was conducted by:
 An Individual An Unincorporated Assoc. Other Than a Partnership Husband & Wife
 A General Partnership A Corporation A Joint Venture
 A Limited Partnership A Business Trust Other-please specify _____
 A Limited Liability Company Copartners

5 (CHECK ONE ONLY) enter date ONLY if first box is checked
 The registrant **commenced** to transact business under the fictitious business name or names listed above on ____/____/____
 The registrant has **not yet begun** to transact business under the fictitious business name or names listed herein. Day Month Year

BY SIGNING BELOW, 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&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

6a Sign below, if registrant is an **individual, husband, wife, co-partner**, etc. (See instructions on reverse for signature requirements):
 Print Name of Registrant: _____ Signature: _____ Date _____

6b Sign below, if registrant is **registered** with the **State** as a corporation, LLC, LLP, LP, etc. (See instructions on reverse for signature requirements):
 Print Name of Registrant: _____ By Signature: _____
 Print Name of Person Signing: _____ Print Title of Person Signing: _____ Date _____

THIS STATEMENT WAS FILED WITH THE COUNTY CLERK OF **SAN BERNARDINO COUNTY** ON THE DATE INDICATED BY THE FILE STAMP ABOVE.

NOTICE - THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAMES STATEMENT MUST BE FILED BEFORE THAT TIME. 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., Bus. & Prof. Code).

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL STATEMENT ON FILE IN MY OFFICE.
 LARRY WALKER, County Clerk
 By: _____ Deputy
 File Number: _____

Any person who executes, files, or publishes any fictitious business name statement, knowing that such statement is false, in whole or in part, is guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed one thousand dollars (\$1000). (B&P Code 17930)

REQUIREMENTS FOR FILING THE FICTITIOUS BUSINESS NAME (FBN) STATEMENT (B&P Code 17910, 17915) 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 he commences to transact such business. The registrant shall file a new statement on or before the date of expiration of each FBN statement. The statement shall be filed in the county in which the principal place of business is located. If the principal place of business is outside the state, the statement shall be filed with the Clerk of Sacramento County.

REQUIREMENTS FOR PUBLISHING THE FICTITIOUS BUSINESS NAME (FBN) STATEMENT (B&P Code 17917, 17920, 17924) 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 principal place of business is located. 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 successive weeks with at least five days between each date of publication. An affidavit of publication must be filed with the county clerk 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, provided the refiling is filed within 40 days of the date the statement expired. (B&P Code 17917, 17920, 17924, Gov. Code 6064)

TRADE NAME REGISTRATION (B&P Code 14411, 14412, 14415, 14416) The filing of articles of incorporation with the state or a fictitious business name statement in the county establishes a rebuttable presumption in that county that the registrant or corporation has the exclusive right to use that business name, as well as any confusingly similar name if the registrant or corporation is the first to register such name and is actively engaged in a business utilizing the name. The rebuttable presumption shall be applicable until the statement is abandoned or otherwise expires and no new statement has been filed by the registrant.

INSTRUCTIONS FOR COMPLETING THE STATEMENT (B&P Code 17913) **Type or print legibly and firmly in black ink.**

1. Insert the fictitious business name or names. Only those businesses operated at the same street address may be listed on one statement. If you want to file more than one business name, number each name and use the Clerk's Additional Information form to list additional names.
 - 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 or 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 or LLP, unless the registrant is a limited liability partnership registered with the State.
- If the name includes any of the above words, the registrant MUST submit a copy of the articles or incorporation/organization/registration.**
 - The name cannot include college or university, unless the registrant is authorized pursuant to Education Code 94050.
2. Insert the street address of the principal place of business in this state. (Mailing addresses 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 this 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. (Some examples would be: 2345 Waterman Avenue, Suite #108, PMB #999 or 1234 Arrowhead Avenue, PMB #999).
3. List the full name of EACH registrant (owner/partner) and their current residence address. Use the Clerk's Additional Information form to list additional names of registrants: Individual: Insert full name and current residence address* of the individual. Partnership or other association of persons: Insert full name and current residence address* of EACH general partner. Business Trust: Insert full name and current address of EACH trustee. Corporation: Insert the name of the corporation as set out in the articles of organization and the state of organization. If the registrant is a trust, enter the full name and current residence address* or each trustee and the full name of the trust (**Mailing addresses such as P.O. Box, PMB, postal drop box, mailing suite, and c/o addresses are not acceptable.**)
4. Indicate whichever best describes ownership of the business.
5. 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 your FBN Statement, displaying the date the registrant commenced to transact business, will show "Not Applicable".
6. Individual: The individual must sign.
Partnership or other association of persons: A general partner must sign.
Business Trust: A trustee must sign.
Corporation: A corporate officer 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.)

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 business name statement expires when the registrant files a statement of abandonment of the fictitious business name described in the statement.

STATEMENT OF ABANDONMENT

A person who has filed a fictitious business name statement may, upon ceasing to transact business in this state under that fictitious business name, 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 his 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 (B&P Code 17922).

PUBLIC RECORD

All Fictitious Business Name Statements filed with the County Clerk are public record pursuant to the California Public Records Act (Gov. Code Sections 6250 - 6277).

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

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 business name statement.