

Topic: DBA
 Question by: Kathy M. Sachs
 Jurisdiction: Kansas
 Date: May 20, 2017

Jurisdiction	Question(s)
	<p>When you get drafted articles that include DBA does anyone enter that as part of the name? Our policy has been to reject and tell them to delete the DBA.</p> <p>For example:</p> <p>The name of the shall be Sachs Socks Store DBA The Socks place.</p> <p>Do you: Enter Sachs Socks Store DBA The Socks place Enter Sachs Socks Store Reject and ask them to remove the DBA</p>
Manitoba	
Corporations Canada	
Alabama	
Alaska	
Arizona	<p>We DO ACCEPT a name that is written as: Sachs Socks Store dba The Socks Place Inc. In other words, if the corporate identifier is at the end of the name, we will accept “dba” within the name – but we enter the entire thing as the entity name. We don’t actually register dba names (the Sec. of State does), but if the identifier is at the end and we treat the whole thing as the entity name, we believe that does not appear to be a registered dba name. The customer may not agree.</p>
Arkansas	
California	<p>For foreign corporations, we enter the whole name (Sachs Socks Store DBA The Socks place) if their actual name (Sachs Socks Store) is not available, otherwise, we reject for being misleading.</p>
Colorado	
Connecticut	
Delaware	

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District of Columbia	yes; we will ask them to remove the Dba and register it after qualification is done;
Florida	Florida rejects the document and advises them they will need to also registered a Fictitious Name Registration if they intend to do business in other than there legal name.
Georgia	
Hawaii	If the Articles included a dba, we would reject and suggest registering dba name separately by filing a trade name application.
Idaho	
Illinois	
Indiana	
Iowa	
Kansas	
Kentucky	
Louisiana	Louisiana is the same as Massachusetts:
Maine	
Maryland	
Massachusetts	As DBAs are not filed at the State level in MA, we would also reject if they listed it in their filing. The rejection would be that DBAs are not filed in our office; only the legal corporate name should be listed.
Michigan	
Minnesota	In Minnesota, the filing will be rejected to let them know that DBA name needs to be filed as an Assumed Name filing. If they return the article without correcting the business name, the articles will be filed as one complete corporate or LLC business name.
Mississippi	

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Missouri	
Montana	<p>In Montana, only the corporate or LLC name is registered. A DBA is considered a separate filing called an Assumed Business Name.</p> <p>If a filing comes in, Joes Automotive Inc DBA Joes Fine Used Cars, it would be rejected and the customer told to remove the DBA from the filing and file the separate Assumed Business Name as a second filing.</p>
Nebraska	
Nevada	
New Hampshire	
New Jersey	
New Mexico	
New York	<p>NY would reject. The “real name” cannot include a DBA name. We would also recommend they file a certificate of assumed name to use the DBA.</p>
North Carolina	<p>In North Carolina when a customer includes the DBA in the name, we contact them and inquiry whether they want that to be part of their name. If they don't they have to remove the DBA. If they do, we make sure they are aware that their official name includes the DBA portion of the name with the appropriate ending.</p>
North Dakota	
Ohio	<p>In Ohio we accept the name exactly as they enter it although it is likely not what they intended to file with us. If we had another reason to reject the filing we would mention in the rejection letter that they likely need to change the name on the form and file a name registration form with the articles to register the dba. But, without another reason to reject it would be entered exactly as they entered it on the form.</p>
Oklahoma	

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Oregon	
Pennsylvania	
Rhode Island	
South Carolina	
South Dakota	
Tennessee	
Texas	<p>In Texas, we reject the document, but our rejection leaves the choice of name to the customer. The rejection explains that a d/b/a or an assumed name is filed separately and typically is not included as part of the entity's legal name. We ask the party to clarify whether they want the legal name of the company to be Sachs Happy Socks Co. d/b/a Sachs Sock Hop or simply to be Sachs Happy Socks Co., and then file the assumed name certificate for the d/b/a Sachs Sock Hop.</p> <p>When the document is returned, the entity name is entered exactly the way it appears on re-submission, which may or may not include the "d/b/a". The majority of times, the customer will drop the d/b/a portion of the name but sometimes they surprise you and insist that that is in fact the way they want their legal name to read.</p>
Utah	
Vermont	
Virginia	<p>Virginia rejects these submissions. The company can have only one true name.</p>
Washington	
West Virginia	
Wisconsin	

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Wyoming	Wyoming rejects the document and instructs them to file a trade name registration if they plan to use both names. Wyoming does not recognize DBA's.

Additional comments:

Full text of email:

When you get drafted articles that include DBA does anyone enter that as part of the name? Our policy has been to reject and tell them to delete the DBA.

For example:

The name of the shall be Sachs Socks Store DBA The Socks place.

Do you:

Enter Sachs Socks Store DBA The Socks place

Enter Sachs Socks Store

Reject and ask them to remove the DBA

We need a filing officer chart like the UCC chart. Ha!

Thanks.

KATHY M. SACHS | Business Services

Deputy Assistant Secretary of State

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