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SENATE BILL 6437

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State of Washington

56th Legislature

2000 Regular Session

By Senators Prentice and Winsley; by request of Department of Licensing

Read first time 01/17/2000. Referred to Committee on Commerce, Trade, Housing & Financial Institutions.

1 AN ACT Relating to trade name registrations; and amending RCW  
2 19.80.005, 19.80.010, and 19.80.025.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.80.005 and 1996 c 231 s 2 are each amended to read  
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in  
7 this section apply throughout this chapter:

8 (1) "Trade name" means a word or name, or any combination of a word  
9 or name, used by a person to identify the person's business which:

10 (a) Is not, or does not include, the true and real name of all  
11 persons conducting the business; or

12 (b) Includes words which suggest additional parties of interest  
13 such as "company," "and sons," or "and associates."

14 (2) "Business" means an occupation, profession, or employment  
15 engaged in for the purpose of seeking a profit.

16 (3) (~~"Executed" by a person means that a document signed by such~~  
17 ~~person is signed by that person under penalties of perjury and in an~~  
18 ~~official and authorized capacity on behalf of the person submitting the~~  
19 ~~document to the department of licensing.~~

1       ~~(4)~~) "Person" means any individual, partnership, limited liability  
2 company, or corporation conducting or having an interest in a business  
3 in the state.

4       ~~((5))~~ (4) "True and real name" means:

5       (a) The surname of an individual coupled with one or more of the  
6 individual's other names, one or more of the individual's initials, or  
7 any combination;

8       (b) The designation or appellation by which an individual is best  
9 known and called in the business community where that individual  
10 transacts business, if this is used as that individual's legal  
11 signature;

12       (c) The registered corporate name of a domestic corporation as  
13 filed with the secretary of state;

14       (d) The registered corporate name of a foreign corporation  
15 authorized to do business within the state of Washington as filed with  
16 the secretary of state;

17       (e) The registered partnership name of a domestic limited  
18 partnership as filed with the secretary of state;

19       (f) The registered partnership name of a foreign limited  
20 partnership as filed with the secretary of state; or

21       (g) The name of a general partnership which includes in its name  
22 the true and real names, as defined in (a) through (f) of this  
23 subsection, of each general partner as required in RCW 19.80.010.

24       **Sec. 2.** RCW 19.80.010 and 1996 c 231 s 3 are each amended to read  
25 as follows:

26       Each person or persons who shall carry on, conduct, or transact  
27 business in this state under any trade name shall register that trade  
28 name with the department of licensing as set forth in this section:

29       (1) Sole proprietorship or general partnership: The registration  
30 shall set forth the true and real name or names of each person  
31 conducting the same, together with the post office address or addresses  
32 of each such person and the name of the general partnership, if  
33 applicable.

34       (2) Foreign or domestic limited partnership: The registration  
35 shall set forth the limited partnership name as filed with the office  
36 of the secretary of state.

1 (3) Foreign or domestic limited liability company: The  
2 registration shall set forth the limited liability company name as  
3 filed with the office of the secretary of state.

4 (4) Foreign or domestic corporation: The registration shall set  
5 forth the corporate name as filed with the office of the secretary of  
6 state.

7 ~~((5) The registration shall be executed by:~~

8 ~~(a) The sole proprietor of a sole proprietorship;~~

9 ~~(b) A general partner of a domestic or foreign general or limited  
10 partnership; or~~

11 ~~(c) An officer of a domestic or foreign corporation.))~~

12 **Sec. 3.** RCW 19.80.025 and 1984 c 130 s 5 are each amended to read  
13 as follows:

14 (1) ~~((An executed amendment))~~ A notice of change shall be filed  
15 with the department of licensing when a change occurs in:

16 (a) The true and real name of a person conducting a business with  
17 a trade name registered under this chapter; or

18 (b) Any mailing address set forth on the registration or any  
19 subsequently filed ~~((amendment))~~ notice of change.

20 (2) A notice of cancellation shall be filed with the department  
21 when use of a trade name is discontinued.

22 (3) A notice of cancellation, together with a new registration,  
23 shall be filed before conducting or transacting any business when:

24 (a) An addition, deletion, or any change of person or persons  
25 conducting business under the registered trade name occurs; or

26 (b) There is a change in the wording or spelling of the trade name  
27 since initial registration or renewal.

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