

HOW DO I RESERVE A NAME FOR A NEW ARIZONA BUSINESS ENTITY?

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Lotzar Law Firm, PC



Naming your business is essential to distinguishing your brand. Your company name can have tremendous value as you develop relations with customers and you must take steps to protect your name. Arizona has myriad laws on the naming of businesses, including specific requirements for corporations and LLCs. Reserving a name is not required by Arizona law but may be beneficial in order to preserve your chosen name while you are forming your new company.

A business startup attorney can provide important information on reserving names for new business entities, as well as on choosing a name for an LLC, corporation or other organization within the state of Arizona. Contact a Scottsdale, AZ lawyer for help with all aspects of naming your organization and protecting the value of the name that you have selected.

UNDERSTANDING A NAME FOR A NEW BUSINESS ENTITY

Once you have registered a corporation or an LLC, no one else can use the same name that has been selected. The [Arizona Corporation Commission](#) makes clear that all corporation and LLCs must have names distinguishable from all other entities and from all other trade names on file with the Commission and with the Secretary of State.

Paperwork filed to register a state corporation or an LLC will include your company name. Once the paperwork has been approved and the corporation or LLC is formed, the name is protected because Arizona will not allow another enterprise to use the same registered name.



The process of completing and submitting LLC or incorporation paperwork takes time. At the start of this process, a search must be conducted to determine if the desired organization name is available. While the name may be available when the search is conducted, another entity could register that name in the



interim between the time you determine it is unique and the time your incorporation or LLC papers have been filed.

It is possible to reserve a name for a new business entity to eliminate the risk that

the Arizona government will recognize another business under that name.

A corporate or LLC name can be registered using an electronic document filing from the [Arizona Corporation Commission](#). Provided that the desired organization name is available, it can be reserved using the online form for a period of up to 120 days. To reserve the name and prevent it from being awarded to another enterprise, there is a \$45 application fee.

Forms may also be completed and dropped off at either the Arizona Corporation Commission, Corporations Division, 1300 W. Washington, Phoenix,

AZ 85007 or, for those closer to Tucson, can be completed and dropped off at 400 W. Congress #221 Tucson AZ 85701.

Registration is possible only if it is both available and if it meets statutory requirements for the type of entity that it is being registered. If the name is not available, the website of the Arizona Corporation Commission will provide a list of conflicting names to view details about the other entities. If the name is available but does not meet statutory criteria, a message to that effect will be displayed.



Statutory criteria both impose certain limitations on corporate or LLC names and impose certain requirements on naming. For example, entity names cannot

contain terms like bank, credit union, or building association without prior approval of the Arizona Department of Financial Institutions. Approval must be obtained in writing before registration is permitted.

For profit corporations must include words indicating the organization's corporate status. This may include "company," "corporation," "Inc.," or "Limited." Corporations are not allowed to use language suggesting they are a limited liability company. This means a corporation may not have an LLC, an LC, an L.L.C. or a similar combination in its name.



LLCs are subject to the same prior-approval requirements for the same terms as for profit corporations. Instead of words indicating the organization is a

corporation, however, the name of the LLC must contain the words “limited liability company,” “limited company,” “L.C.,” “LLC,” or “LC.”

Once the organization chooses a name in compliance, it is important for companies to do everything they can to protect their brand image. An experienced business startup lawyer can provide advice on legal options for registering a business name and securing the permanent rights to a name. Call today to learn more.



About the Author

Lotzar Law Firm, P.C. was founded in 2005, and serves clients throughout the U.S. We pride ourselves on the level of service we provide our clients and are determined to see each project through to positive results.

In addition to bringing a legal expertise to the table, we offer clients sound ideas and invaluable advice that enhances their business. One of our greatest attributes is our ability to approach projects from a business-owner perspective. Rather than narrowing in on the setbacks of a challenge and informing clients of what stands in the way, we prefer to seek innovative ways to transcend issues and create a better path for clients. With an unparalleled savvy in developing modern methods of financing, we can present you with viable and efficient options.

Our diversified portfolio of clients is comprised of entrepreneurs, real estate developers, contractors and property managers. We also do business with numerous nonprofit clients including Chicanos Por La Causa, Inc.; Tiempo, Inc.; and The Industrial Development Authority of the City of Tucson, Arizona.

We work in a team-based environment, supported by a skilled and caring staff, eager to answer your questions and provide you with consistent access to your team. Whether your needs are small or large in scope, we look forward to working with you.

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