

## **Fictitious Name**

A business operating under a Fictitious Business Name must register that name with the Corporation Bureau of the Pennsylvania Department of State. In some other states, this is known as a Trade Name, an Assumed Name, or DBA (doing business as). A business name containing the family name (surname) of the owner is NOT a fictitious name, and does not have to be registered. For example, Reid's Tool and Die Works is not a fictitious name, if my last name is Reid. However, ABC Enterprises or Tom's Tire Shop are fictitious names, and must be registered, since my family name is not ABC or Tom. For a partnership to avoid having a fictitious name it must list the last names of all its partners. Registering a fictitious name does not give you the exclusive use of that name. The purpose of registration is merely to record who owns the business. The state will permit any number of businesses to use the same fictitious name, unlike a corporation, whose name is exclusive and protected by the State of Pennsylvania.

A corporation or limited liability company (LLC) must file organizational papers with Harrisburg, either Articles of Incorporation or a Certificate of Organization. The name of the company is therefore registered with the State, and does NOT have to be registered as a fictitious name also, unless it operates under another name. For example, I file a Certificate of Organization for a company called ABC Enterprises, LLC. If that company does business as ABC Enterprises, that is not a fictitious name. However, if, for some reason, ABC Enterprises, LLC decides to operate under the name Steel City Blues, that would have to be registered as a fictitious name used by ABC Enterprises, LLC. Internet Domain Names are not fictitious names.

The filing fee for registering a fictitious business name is \$70.00. When a fictitious business name is registered in Harrisburg, it must also be advertised in two newspapers of general circulation in the county where the business is located. One of these newspapers must be the official legal newspaper for the County. In Westmoreland County, this is the Westmoreland Law Journal, 129 N. Penna. Ave, Greensburg (724) 834-7260.

Fictitious Name Registration forms are available online at the State's website: [www.dos.state.pa.us/corps](http://www.dos.state.pa.us/corps) and also as another reference document on this site.