

Instructions L001i

Application to Reserve Limited Liability Company Name

ARIZONA CORPORATION COMMISSION

Corporations Division
1300 West Washington Street
Phoenix, Arizona 85007

www.azcc.gov

(602) 542-3026



General Information

Any individual or entity can reserve a particular limited liability company name for 120 days by submitting an Application To Reserve Limited Liability Company Name. *See* A.R.S. § 29-603.

Note that the Arizona Corporation Commission does not register or reserve trade names. For trade name registration, contact the Secretary of State's Office at 602-542-6187 or www.azsos.gov.

Reserving a name is not required. Reserving a limited liability company name is optional. Whether you should reserve a limited liability company name depends upon your particular circumstances, and Arizona Corporation Commission staff cannot advise you or make the decision for you. If you have already submitted Articles of Organization to the Arizona Corporation Commission, do not attempt to reserve the name – the name reservation will be rejected because of the conflict with pending Articles for the same limited liability company name.

Reserving a name is not formation of the LLC. Obtaining a limited liability company name reservation is not the same thing as creating or establishing the limited liability company. Articles of Organization must be filed with the Arizona Corporation Commission in order to create the limited liability company. Likewise, a name reservation does not authorize a foreign limited liability company to transact business or conduct affairs in Arizona – the foreign LLC still must file with the Arizona Corporation Commission an Application for Registration.

Effective time period. Once approved, a name reservation is effective for a nonrenewable period of 120 days from the date on which the Arizona Corporation Commission receives the Application To Reserve Limited Liability Company Name. If the name reservation is approved, the approval letter sent by the Arizona Corporation Commission will contain the

expiration date for the name reservation.

Name reservations are not renewable. Name reservations are effective for 120 days and then they expire and cannot be renewed by the person in whose name they are recorded in the records of the Arizona Corporation Commission.

Name reservations are transferrable. The name reservation can be transferred to another person within the 120 day effective time period. *See* A.R.S. § 29-603; *see also* the Notice of Transfer form Instructions L002i at <http://www.azcc.gov/Divisions/Corporations/forms/formsindex.asp>. A transfer does not extend or renew the 120 day effective time period. The name reservation cannot be transferred after the 120 days expires.

Name reservations can be canceled. *See* the Notice of Cancellation Of Approved Limited Liability Company Name Reservation form Instructions L003i at <http://www.azcc.gov/Divisions/Corporations/forms/formsindex.asp>.

Filing fee. The filing fee is \$10.00. For expedited processing (read the next paragraph), add \$35.00 to the filing fee. All fees are nonrefundable. *See* A.R.S. § 29-851.

Processing time. Processing times are posted on our website each Monday at www.azcc.gov/Divisions/Corporations. For expedited (faster) processing, payment of the expedite fee plus payment of the filing fee must be submitted. *See* A.R.S. § 29-851. The expedite fee is \$35.00. *See* Decision No. 68008, July 22, 2005, Docket No. AC-00000A-05-0488. The Arizona Corporation Commission does not currently offer same day or next day service.

Name Requirements

The examiner will determine if the name to be reserved complies with the statutory requirements, but you can review the name criteria, check for

name availability and submit the name reservation application by using our website at www.azcc.gov/divisions/corporations/filings/namingpolicy.asp. Web access is available to the public at our Phoenix and Tucson offices.

The LLC name must satisfy the requirements of A.R.S. § 29-602. The professional LLC name must satisfy the requirements of A.R.S. § 29-845. Statutes are available on the Arizona Legislature's website, www.azleg.gov, by following the link for Arizona Revised Statutes.

The minimum requirements under Arizona law for the name of a limited liability company or fictitious name of a foreign limited liability company are that it:

shall contain the words "limited liability company" or "limited company" or the abbreviations "L.L.C.", "L.C.", "LLC", or "LC". If the existing limited liability company name or the fictitious name adopted for use in Arizona does not contain one of those words or an abbreviation of one of those words, then one of those words or an abbreviation of one of those words must be added to it.

AND

shall not contain the words "association", "corporation", "incorporated", or an abbreviation of those words.

If the name contains any of the following words, prior written approval must be obtained from the Arizona Department of Financial Institutions before registration is allowed: Bank; Banker; Banking; Banc; Banco; Banque; Credit Union; Deposit; Savings Association; Building Association; Savings and Loan Association; Building and Loan Association; Savings Bank; Thrift; Trust; or Trust Company. *See* A.R.S. §§ 29-602, 29-804.

A *professional limited liability company* name shall not conflict with any of the above, and *shall contain* the words "professional limited liability company" or one of the following abbreviations:

"P.L.L.C.", "P.L.C.", "PLLC", or "PLC", in upper or lower case letters.

Fictitious name. If a foreign limited liability company's name is not available, it may use a fictitious name if it attaches to the Application To Reserve Limited Liability Company Name a company resolution adopting a fictitious name. See A.R.S. § 29-804 (note that the Arizona Corporation Commission requires the resolution be attached to the application for a name reservation *and* a copy should be attached to the Application For Registration when it is submitted). Such a resolution must be signed by a duly authorized member if the LLC was formed as a member-managed LLC, or by a duly authorized manager if the LLC was formed as a manager-managed LLC, or by an authorized agent of the LLC, or by a receiver or trustee if the company is in the hands of that receiver or trustee.

Trade name – if you are the owner of a trade name registered with the Secretary of State's office that is identical to the LLC name you are reserving, you must complete and attach to the Application To Reserve Limited Liability Company Name a Trade Name Declaration form M003. Forms are available on our website at <http://www.azcc.gov/Divisions/Corporations/forms/formsindex.asp>.

Instructions

Number 1. List the exact name to be reserved, including exact spelling, punctuation, and an appropriate limited liability company identifier such as LLC or L.L.C., etc.

Number 2. Check one box only to indicate the type of limited liability company that will be created or formed using the reserved name. If a foreign LLC is reserving the name, check the appropriate box to indicate the foreign LLC's type.

Number 3. The Applicant is the individual or entity that is applying for the name reservation. List the name of *either* the individual or the entity applying, and give the address.

Signature and Verification

The Applicant listed in number 3 must sign the Application To Reserve Limited Liability Company Name.

The document is submitted under penalty of perjury, and the "I accept" box must be checked.

Sign on the line underneath the "I accept" box. Print the name of the individual signing next to the signature. If completing the form online, type in the name in both fields. Fill in the date. Check the appropriate box underneath the signature line to indicate whether the person signing is an individual or an entity. The box checked must be consistent with the Applicant listed in number 3.

Submit the document

Cover Sheet. All documents must be submitted with a Cover Sheet. Forms are available on our website at this link: <http://www.azcc.gov/Divisions/Corporations/forms/formsindex.asp>.

What to submit:

1. Cover Sheet
2. Application to Reserve LLC Name
3. Letter from Department of Financial Institutions, if applicable
4. Fictitious name resolution, if applicable,
5. Trade Name Declaration, if applicable
6. Payment.

By Mail. Mail the completed paper document, cover sheet, and payment (see below for payment information) to:
Arizona Corporation Commission
Corporations Division
1300 W. Washington St.
Phoenix, Arizona 85007

In Person. Deliver the completed document, cover sheet, and payment (see below for payment information) to:
Arizona Corporation Commission
Corporations Division
1300 W. Washington St.
Phoenix, Arizona 85007

Payment Methods

Credit card. If submitting the document in person, payment by credit card is acceptable. Credit cards cannot be used if submitting by mail. The Arizona Corporation Commission

accepts only Visa, MasterCard, or American Express.

Check. If submitting the document by mail or in person, payment by check is acceptable. Checks must be made payable to "Arizona Corporation Commission," with all words spelled out and no abbreviations. Checks must be completely and properly filled out, including the amount sections. Checks that do not have an imprinted or preprinted name and address of the account holder and an imprinted or preprinted check number will not be accepted. Handwritten or stamped names, addresses, or check numbers will not be accepted. For example, we will not accept temporary checks, such as those from a new account. We will accept checks drawn on non-U.S. banks as long as the check states that the funds are payable in U.S. dollars.

Money order. If submitting the document by mail or in person, payment by money order is acceptable.

Cash. If submitting the document in person, cash payments are acceptable. Do not mail cash.

Questions

For questions, contact our Customer Service Call Center at 602-542-3026, or, within Arizona only, 800-345-5819.