

Instructions C006i

Application to Reserve Corporation 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 corporation name for 120 days by submitting an Application To Reserve Corporation Name. See A.R.S. §§ 10-402 and 10-1506 (for-profits); 10-3402 and 10-11506 (nonprofits); 10-2215 and 10-2244 (professional).

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 corporation name is optional. Whether you should reserve a corporation 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 Incorporation 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 corporation name. If you are the owner of a trade name, it is not necessary to also file a name reservation for the trade name.

Reserving a name is not incorporation.

Obtaining a corporation name reservation is not the same thing as creating or establishing the corporation. Articles of Incorporation must be filed with the Arizona Corporation Commission in order to create the corporation. Likewise, a name reservation does not authorize a foreign corporation to transact business or conduct affairs in Arizona – the foreign corporation still must file with the Arizona Corporation Commission an Application for Authority.

Name reservation is not name registration.

Reserving a corporation name is not the same as registering a corporation name. *Anyone may reserve a name, but only foreign corporations may register corporation names.* See A.R.S. §§ 10-403, 10-3403. Read the

Instructions form C007i for name registration information.

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 Corporation 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. §§ 10-402, 10-11402; see also the Notice of Transfer form Instructions C008i 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 Corporation Name Reservation form Instructions C009i 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. §§ 10-122 and 10-3122.

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. §§ 10-122 and 10-3122. 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 <http://www.azcc.gov/divisions/corporations/forms/namingpolicy.asp>. Web access is available to the public at our Phoenix and Tucson offices.

The minimum requirements under Arizona law for the name of a for-profit corporation or fictitious name of a for-profit foreign corporation are that it:

shall contain the word "association", "bank", "company", "corporation", "limited", or "incorporated", or an abbreviation of one of those words. If the existing corporate 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 "limited liability company" or "limited company" or the abbreviations "L.L.C.", "L.C.", "LLC" or "LC", in uppercase or lowercase letters.

If the corporation 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. §§ 10-401, 10-1506, 10-3401, and 10-11506.

The name of a *professional corporation* shall not conflict with any of the above,

and *shall contain* the words “professional corporation”, “professional association”, “service corporation”, “limited” or “chartered” or one of the following abbreviations: “P.C.”, “P.A.”, “S.C.”, “Ltd.”, “Chtd.”, “PC”, “PA”, “SC”, “Ltd”, or “Chtd”. See A.R.S. § 10-2215.

The *for-profit* corporate name must satisfy the requirements of A.R.S. §§ 10-401 and/or 10-1506. Statutes are available on the Arizona Legislature’s website, www.azleg.gov, by following the link for Arizona Revised Statutes.

The *nonprofit* corporate name must satisfy the requirements of A.R.S. §§ 10-3401, 10-3301, and/or 10-11506 and must not conflict with the requirements for professional corporations (A.R.S. § 10-2215) or other corporations (A.R.S. §§ 10-1506 and 10-401). Statutes are available on the Arizona Legislature’s website, www.azleg.gov, by following the link for Arizona Revised Statutes. Note that other requirements may apply if you are forming a nonprofit corporation under Chapter 19 of Title 10, Arizona Revised Statutes (cooperatives).

Fictitious name. If a foreign corporation’s name is not available, it may use a fictitious name if it attaches to the Application To Reserve Corporation Name a corporate resolution adopting a fictitious name. (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 Authority when it is submitted). Such a resolution must be approved by the board of directors and certified by its secretary (for-profits) or a duly authorized officer (nonprofits). See A.R.S. §§ 10-1506, 10-11506.

Trade name – if you are the owner of a trade name registered with the Secretary of State’s office that is identical to the corporation name you are reserving, you must complete and attach to the Application To Reserve Corporation 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 corporate identifier such as Inc. or Incorporated, etc.

Number 2. Check one box only to indicate the type of corporation that will be created or formed using the reserved name. If a foreign corporation is reserving the name, check the appropriate box to indicate the foreign corporation’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 Corporation 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 Corporation 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.