



FREDERICK COUNTY, VIRGINIA		
SETH T. THATCHER, COMMISSIONER OF THE REVENUE		
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INFORMATION REGARDING FILING CERTIFICATE OF ASSUMED OR FICTITIOUS NAME

YOU MUST HAVE YOUR BUSINESS SET UP **PRIOR TO** REGISTERING THE BUSINESS WITH THE FREDERICK COUNTY COMMISSIONER OF THE REVENUE'S OFFICE

The **legal name of a business** is the name of the person or entity that owns the business.

- **Sole Owner/Sole Proprietorship** = legal name of the individual
- **Partnership** = name given in the partnership agreement
- **Corporation/LLC/Business Trust** = name that is registered with the State Corporation Commission

In order to obtain a Frederick County business license, you may be required to file a **Certificate of Assumed or Fictitious Name**.

A **fictitious or assumed name** is a name that a person (individual or business entity) uses instead of the person's legal name. Businesses must register or file their fictitious name to prevent customer confusion between two local businesses that use the same name and to provide the name and contact information of the owner.

See relevant sections of the Code of Virginia on the reverse side.

*You may want to check with an attorney regarding the **protection of your business name**.*


If necessary, complete the **Certificate of Assumed or Fictitious Name (Form SCC59.1-70-BE for Entity or Form SCC59.1-70-IN for Individual)** online or in printable form.


Website: www.scc.virginia.gov / Phone No.: 866-722-2551

Information is provided on the form regarding the:

- Filing requirements
- Paper/Online Filing Options
- Required Fee
- Signature Options
- Address for Mailing/Delivery

[see reverse side]

	Form SCC59.1-70-IN State Corporation Commission	Certificate of Assumed or Fictitious Name Business Conducted by an Individual	CLEAR
The undersigned individual states that he or she intends to conduct or transact business in the Commonwealth of Virginia under an assumed or a fictitious name and further states:			
1. The name of the individual who will be conducting business under the assumed or fictitious name is _____			
2. The assumed or fictitious name under which the business will be conducted is _____			
3. The post office address of the individual's office or residence, which must include a street address, city or town, state, and zip code, is _____			
(undersigned) (city or town) (state) (zip)			
The foregoing information is true and correct to the best of my knowledge and belief as of _____			
(date)			
_____ (signature)			
(printed name)			

	Form SCC59.1-70-BE State Corporation Commission	Certificate of Assumed or Fictitious Name Business Conducted by an Entity	CLEAR
The undersigned, on behalf of the business, legal, or commercial entity named below ("the entity"), states that the entity intends to conduct or transact business in the Commonwealth of Virginia under an assumed or a fictitious name and further states:			
1. The name of the entity that will be conducting business under the assumed or fictitious name is _____			
2. The assumed or fictitious name under which the business will be conducted is _____			
3. The entity is (mark appropriate box)			
<input type="radio"/> A corporation <input type="radio"/> A limited liability company <input type="radio"/> A general partnership <input type="radio"/> A business trust			
<input type="radio"/> A limited partnership <input type="radio"/> Another type of legal or commercial entity (describe) _____			
4. The name of the jurisdiction under whose laws the entity is formed is _____			
5. If the entity named in paragraph 1 is _____			
A. Of record in the Office of the Clerk of the State Corporation Commission as a Virginia or foreign corporation, limited liability company, limited partnership, general partnership, or business trust, the SCC ID number issued to the entity by the Commission is _____			
B. Not on file in the Office of the Clerk of the State Corporation Commission, the post office address of the entity's principal place of business, which must include a street address, city or town, state, and zip code, is _____			

ADDITIONAL INFORMATION REGARDING CERTIFICATE OF ASSUMED OR FICTITIOUS NAME

CODE OF VIRGINIA

Section 59.1-69:

A. No person, partnership, limited liability company or corporation shall conduct or transact business in this Commonwealth under any assumed or fictitious name unless such person, partnership, limited liability company or corporation shall sign and acknowledge a certificate setting forth the name under which such business is to be conducted or transacted, and the names of each person, partnership, limited liability company or corporation owning the same, with their respective post-office and residence addresses (and, (i) when the partnership or limited liability company is a foreign limited partnership or limited liability company, the date of the certificate of registration to transact business in this Commonwealth issued to it by the State Corporation Commission, or (ii) when the corporation is a foreign corporation, the date of the certificate of authority to transact business in this Commonwealth issued to it by the State Corporation Commission), and file the same in the office of the clerk of the court in which deeds are recorded in the county or city wherein the business is to be conducted.

B. No person, partnership, limited liability company or corporation shall use an assumed or fictitious name in the conduct of its business to intentionally misrepresent the geographic origin or location of any such person or entity.

Section 59.1-70:

A. When business is conducted in this Commonwealth under an assumed or fictitious name by a limited partnership filing a certificate under § [50-73.11](#), by a foreign limited partnership required to register with the Commission under § [50-73.54](#), or by a limited liability company or corporation, such domestic or foreign limited partnership, limited liability company or corporation shall file in the office of the clerk of the State Corporation Commission a copy of the certificate described in § [59.1-69](#), duly attested by the clerk of the court in which the original is on file. The State Corporation Commission shall charge a ten-dollar fee for the filing of a fictitious or an assumed name.

B. When business is no longer conducted in this Commonwealth under an assumed or fictitious name by a limited partnership filing a certificate under § [50-73.11](#), by a foreign limited partnership required to register with the Commission under § [50-73.54](#), or by a limited liability company or corporation, the domestic or foreign limited partnership, limited liability company or corporation may file with the clerk of the State Corporation Commission a copy of a release certificate, duly attested by the clerk of the court in which the certificate is on file. The Commission shall charge a ten-dollar fee for the filing of such certificate.

Section 59.1-75:

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding \$2,500 or by confinement in jail for not more than one year, or both.