## Do You Operate Under a Fictitious Firm Name?

Ques. What is a. Fictitious. Firm Nome?
Ans. Any name which does not completely and clearly identify
2. Ques. Why should or individual or partnership doing busi-
ness under of Fictitious Name file ond publisho a Certificate? Ans, 7. The low is specific and mandatory. Business people,
likeother persons, should obey the low. 2. No Court oction of ory sort con be maintained until Certificate is filed and published. Such filing and publishing
value oind protection of o trode name.
3. Ques. Is the name " $J$ B. 5 mith Company" a fictitious name? Ans. Yes., Because the term "company" is ambiguous and sug-
. Ques. How can customer find out if he has filed and pubns. 5 in corl cate of business? Ans. Simply by checkin. with the Corporation department of
your county, clerk's offfice, or by teleohonhing Los Angeles Your county, clerk's office, or by teleephoning Los Angeles
Nowspaper Service Bureau, Inc, MA $5-2541$.
Sues. What does Section 2468 of the Civil Code mean by
the wording that no person or portnership failing to comply,
thell shal! mointalin ony oction upon, or an account, of, any con-
trast or contracts made or transaction had," under such fictitious name in any Court of this State?
Ans, Simply that the person or partnership cannot sue.
6. Ques. Does that mean that cash stores are not affected? Ans, There are mony grounds for court action besides the
mere collection of post due accounts. For instance, a cosh to shipments. wish to sue a trucking company for damage
Ques. In cose one partner is succeeded by another, must a
new certificate be filied and published? new certiticate be filed and published. Ans. Yes "Every person, transocting business in this stote un-
der a fictitious name" must file ond publish. Ques, In case one partree is succeeded by another, must a Ans. Yes. Section 2469 of the Civili Code states that "On every
charige in the members of a portnership transacting busi-
ness in this stote under a fictititous nome an a new certif
cate must bef eilied withi the County Clerk and a new publ ation made.

## 9. Ques. Must a corporation file ond publish a certificate?

Ans. Yes, when the copoporation as a persor. owns and oper
otes some other business under a fictitious firm name. In such event it must file ond publish, otherwise not.

## 10. Oues. Do public a?

Ans. Yes. For instance, the California Stote Department tractor or contracting partnership who has not filed con


Buss. May a person or person engaged in more than on
business under fictitious nome meet the publication require
business under fictitious nome meet the publication requir
ments by filing and printing only one certificoote?
Ans. The Los Angeies County Counsel has ruled: "We incline
to oninion thot the provisions of soid section contemplate a
to opinion that the provisions of soid section contemplate
certiticicte be filed and pubbilished for EACH fictitious name
under which a business is transacted.
12. Oues. Does the filing and publication of a Trade Nome Cer
name?
Ans. Yes, the courts hove held such registration and publico
tion to be a prima facia evidence of name ownership where two claimants to a name hove contested ownership.
13. Oues.

Nished
Ans. Se
Clerk.
14. Ques. What will it cost?

Ans. The statutory two dclllar County Clerk fee for filing, plu
the publisher's rote of $\$ 15$ for four weakly insertions of th
.
Ques. Where may filing service be obtained?
Ans. Complete servica forms
FREE by the Torrance Press.

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