

Natalie E. Tennant
Secretary of State
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Office Hours: Monday – Friday
Hrs: 8:30 a.m. – 5:00 p.m. ET

FILE ONE ORIGINAL
(Two if you want a filed
stamped copy returned to you)
FEE: \$15.00

APPLICATION FOR NAME RESERVATION

1. I want to **reserve** the following **name** for a period of one hundred twenty (120) days: _____

2. The name will be used for a (**check one**):

- | | | |
|---|--|--|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Business Trust | <input type="checkbox"/> Voluntary Association | <input type="checkbox"/> Limited Liability Partnership |

3. The person or company reserving this name intends to (**check one**):

<input type="checkbox"/>	Organize as a West Virginia company.
<input type="checkbox"/>	Change existing (present) company name.
<input type="checkbox"/>	Qualify as a foreign company in West Virginia – the original state of registration is _____

4. The **name** and **address** of the **applicant** (person or company) is:
Street: _____

Name:	_____
Street Address:	_____
City/State/Zip:	_____

5. **Signature information** (see ****Important Legal Notice Regarding Signature*** in the attached instructions):

Signature: _____ **Date:** _____

Title: _____

Important Note: This form is a public document. Please **DO NOT** provide any personal identifiable information on this form such as social security numbers, bank account numbers, credit card numbers, tax identification or driver's license numbers.

ACKNOWLEDGEMENT
(For office use only)

TO THE APPLICANT:

The **name is reserved** for the exclusive use of the applicant for **one hundred twenty (120) days** beginning _____ and ending _____.

The name is **NOT available** (see attached name conflict), and the application is accordingly denied.

NATALIE E. TENNANT
Secretary of State

BY: _____
Business & Licensing Clerk

INSTRUCTIONS FOR FILING APPLICATION FOR NAME RESERVATION

BEFORE you fill out the application: The name you select will be approved **only** if it is available--that is, if the name is not the same as and is distinguishable from any other name which has been reserved or filed. Before you prepare this application, call the Corporations Division at (304)558-8000 to find out if the name you have chosen is available. **A telephone check on availability of a name is NOT a guarantee, but it will help find a name you can use.** Once your name reservation application is approved, you are guaranteed exclusive use of the name for 120 days, enough time to prepare and submit the actual filing to establish or authorize the type of business you will form.

FILLING OUT THE APPLICATION:

1) The requirements for the name of the new company depends on the laws for each company type.

- ◆ **All company types** The name may not contain any word or phrase which implies that it is organized for any purpose other than the stated purpose of the company.
 - The terms “banking” and/or “insurance” cannot be used in the business name if the business activity does not include “banking” and/or “insurance.”
 - Words such as “engineer” or “engineering” may only be used if the purpose is to practice professional engineering and one of the principals is a registered WV professional engineer.
 - Some licensed professions have specific requirements and prohibitions.
 - The term “911” is prohibited.
 - Any company which is not a corporation may not use the corporate terms listed below.

- ◆ **Corporation** The name must include one of these words or abbreviations:
 - Incorporated; Corporation; Company; Limited; Inc.; Corp.; Co.; Ltd.

- ◆ **Limited Liability Company** The name must include one of these terms or abbreviations:
 - Limited Liability Company; Limited Company; L.L.C.; LLC; L.C.; LC; Ltd. Co.“Professional” companies must first obtain board approval for the name and must use either:
 - Professional Limited Liability Company; Professional L.L.C.; Professional LLC; P.L.L.C.; PLLC

- ◆ **Limited Liability Partnership** The name must include one of these terms or abbreviations:
 - Registered Limited Liability Partnership; L.L.P.; LLP

- ◆ **Limited Partnership** The name must include one of these terms or abbreviations:
 - Limited Partnership; Ltd. Partnership; L.P.; LP
 - The name may not contain the name of a limited partner unless that person or company is also a general partner, or unless the business has been carried on under the name before that limited partner was admitted.

- ◆ **Voluntary Association & Business Trust** May not include any term indicating it is incorporated.

2) **Sole Proprietorships, General Partnerships and/or Joint Ventures may not reserve a name with the Secretary of State.** These types of business structures form through the West Virginia State Tax Department. Check the type of company you plan to form, and make sure the name you propose meets those requirements.

3) Check the reason you are reserving the name.

4) When you are ready to register the company, the person who signs as the applicant to reserve the name will be required to file the company formation documents with Secretary of State. The applicant is essentially the owner of the name for 120 days. The applicant should be a principal of the company.

5) Signature of the applicant and Date the application is signed.

****Important Legal Notice Regarding Signature:***

Corporations/Voluntary Associations/Business Trusts/Unincorporated Nonprofit Associations/Limited Partnerships - Per West Virginia Code [§31D-1-129](#). Penalty for signing false document. Any person who signs a document he or she knows is false in any material respect and knows that the document is to be delivered to the Secretary of State for filing is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one thousand dollars or confined in the county or regional jail not more than one year, or both. **Limited Liability Companies/Limited Liability Partnerships - Per West Virginia Code [§31B-2-209](#). Liability for false statement in filed record.** If a record authorized or required to be filed under this chapter contains a false statement, one who suffers loss by reliance on the statement may recover damages for the loss from a person who signed the record or caused another to sign it on the person's behalf and knew the statement to be false at the time the record was signed.

Note: A reserved name may be transferred from any other person or company by filing with the Secretary of State a "Notice of Transfer" executed by the applicant for whom the name was reserved, specify the name and address of the transferee.

Important Note: This form is a public document. Please **DO NOT** provide any personal identifiable information on this form such as social security number, bank account numbers, credit card numbers, tax identification or driver's license numbers.

**SUBMIT THE COMPLETED APPLICATION ALONG WITH PAYMENT TO THE ADDRESS
AT THE TOP OF THE APPLICATION.**

Filing Fee -- \$15 Make checks payable to the *West Virginia Secretary of State*.