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IN THE HOUSE BY MR. RUTHERFORD, MISS PRIOR AND
HOUSE BILL NO. 753 MR. RENTSOHLER

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA
TWENTY-FIRST SESSION

A BILL

For an Act entitled: "An Act to provide for the Registration
of Trade Names, Exemptions, Issuance of
Certificates, and Compliance."

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA;

Section 1. Registration required: No person, association,
firm, or partnership shall transact business in the Territory
of Alaska under any assumed name, designation or style other
than the true names of all of the persons having an interest
therein, unless a certificate is filed with the Auditor of the
Territory of Alaska and with the Clerk of the District Court
in each division wherein business is conducted setting forth
the name, designation or style under which the business is to
be conducted and the true names, addresses, and respective
interests of those having an interest therein. Such certificate
must be executed and acknowledged by all persons interested in
the business and filed before commencing business.

Section 2. Exemptions: The provisions of this Act shall
not apply to:

- (a) Any corporation organized under the laws of
Alaska.
- (b) Any corporation organized under the laws of
another state and lawfully doing business in this state.
- (c) The lawful use of a partnership designation,
name or style if the true names of all partners are

1 included in such designation, name or style.

2 (d) Any limited partnership which has complied with
3 Alaska laws.

4 Section 3. Change of Ownership - New Certificate:

5 If there is any change in the ownership of a business being
6 conducted under an assumed name, or under any designation, name
7 or style other than the true names of all persons interested
8 therein, a new certificate must be executed, acknowledged and
9 filed by all the persons interested therein before transacting
10 any business.

11 Section 4. Failure to File - Presumption of Fraud: Fail-
12 ure to comply with the provisions of this Act shall be prima
13 facie evidence of fraud in securing credit.

14 Section 5. Compliance must be alleged in order to sue.
15 No person or persons transacting business under any name, the
16 registration of which is required by this Act, shall maintain
17 any suit in any court in the Territory of Alaska without
18 alleging and proving compliance with the provisions of this Act.

19 Section 6. Penalties: Any person failing to comply with
20 the provisions of this Act shall be guilty of a misdemeanor, and
21 upon conviction shall be fined not more than \$100.00.