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IN THE SENATE

BY SENATOR POLLOCK

SENATE BILL NO. 117

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the reservation and registration of a business name."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 10 is amended by adding a new chapter to read:

CHAPTER 35. BUSINESSES

ARTICLE 1. NAME

Sec. 10.35.010. RESERVATION OF NAME. The exclusive right to the use of a business name may be reserved by a person intending to start a business or a person intending to change the name of his business.

Sec. 10.35.020. APPLICATION TO RESERVE NAME. Reservation of a business name is made by filing an application with the commissioner. If the commissioner finds that the name is available for business use, he shall reserve it for the exclusive use of the applicant for a period of 120 days. A name is not available which is the same as, or deceptively similar to, the name of a domestic corporation or a foreign corporation authorized to transact business in the state, or a name reserved or registered under AS 10.05 of this chapter.

Sec. 10.35.030. TRANSFER OF RESERVED NAME. The holder of a reserved name may transfer the right to the exclusive use of the name to another person by filing with the

1 commissioner a notice of transfer which is signed by the
2 holder and specifies the name and address of the transferee.

3 Sec. 10.35.040. REGISTRATION OF NAME. A person con-
4 ducting a business may register its name if the name is not
5 the same as, or deceptively similar to, the name of a domes-
6 tic corporation or a foreign corporation authorized to
7 transact business in the state, or a name reserved or regis-
8 tered under AS 10.05 of this chapter.

9 Sec. 10.35.050. PROCEDURE FOR REGISTRATION OF NAME.
10 Registration of a business name is made by filing with the
11 commissioner an application for registration. The applica-
12 tion must be executed by an owner of the business and must
13 contain the name and addresses of the business, a statement
14 that it is doing business, and a brief statement of the
15 nature of the business.

16 Sec. 10.35.060. FEE FOR AND DURATION OF REGISTERED
17 NAME. The fee for the initial registration of a business
18 name is \$10. The registration is effective until the close
19 of the calendar year in which the application for registration
20 is filed.

21 Sec. 10.35.070. RENEWAL OF REGISTERED NAME. A regis-
22 tered business name may be renewed every five years if an
23 application for renewal is filed. An application for renewal
24 must set forth the facts required in an original application
25 for registration and be accompanied by a renewal fee of \$10.
26 An application for renewal may be filed between October 1
27 and December 31 of any year. The renewal of the registration
28 extends the registration for the following calendar
29 year.

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Sec. 10.35.080. DEFINITIONS. In secs. 010 - 080 of
of this chapter

(1) "commissioner" means the commissioner of
commerce;

(2) "business" is any commercial or industrial
enterprise which is not incorporated and which may be owned
by a person or persons, partnership, firm, association or
organization.