

## APPLICATION FOR TRADE NAME REGISTRATION

This is an application to the North Carolina State Bar, pursuant to North Carolina Rule of Professional Conduct 7.5(a), for the registration of a trade name for use by a law firm.<sup>1 2</sup> Registration of a trade name may be denied, or a remedial disclaimer may be required, if a trade name is potentially misleading.<sup>3</sup> Fill in all of the blanks below (attach additional sheets if necessary). If an inquiry is not applicable, please write "not applicable" in the blank. Incomplete applications will be returned.

1. State the requested trade name. If the trade name includes a professional entity designation (PC, PA or PLLC), indicate the footnote or subtext<sup>4</sup> that will be used in conjunction with the trade name to disclose the official firm name on file with the Secretary of State.<sup>5</sup>

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2. State the official/legal name of the law firm.

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3. The law firm is (check one):

sole proprietorship                       professional corporation  
 partnership                                       professional limited liability company  
 limited liability partnership

4. List the street addresses and telephone numbers for all offices of the law firm:

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5. List the names and positions (owner, partner, shareholder, member) of all lawyers who are principals with the law firm:

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State the number of lawyers who are employed by the law firm as associates.

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6. If the trade name includes the name of a lawyer who is deceased or retired, state the full name of the lawyer(s), whether the lawyer(s) is deceased or retired, the dates that the lawyer(s) was affiliated with the firm, and the position(s) that the lawyer held with the firm (e.g., partner, shareholder, of counsel, etc.).

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1 The State Bar makes every effort to avoid the registration of trade names that are the same or deceptively similar to trade names that are already registered with the State Bar. However, State Bar registration does not provide legal protection from infringement.

2 See N.C. Gen. Stat. §66-68(a) and (e) with regard to the duty to file a certificate of assumed name with register of deeds in each county in which business is conducted under an assumed name.

3 The use of the names of deceased former members of a firm and the use of such designations as "Law Offices of John Doe," "Smith and Associates," "Jones Law Firm," and the like, does not render the firm name a trade name. Rule 7.5(a).

4 The inclusion of an entity designation in a trade name is potentially misleading in violation of Rule 7.5(a) unless the official name of the firm on file with the Secretary of State is disclosed.

5 For example: "S & J Business Lawyers, P.C., A Professional Corporation Incorporated as Smith & Jones, P.C."

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7. List the practice areas of the law firm.

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8. Explain why the trade name is appropriate for your law firm.<sup>6</sup>

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9. List all other trade names that the law firm has registered with the State Bar and the date of registration.

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10. State whether the trade name will be used for all legal services offered by the law firm. If not, describe the services that will be offered under the trade name and how the public will be advised of the relationship between the law firm and the division of the law firm operating under the trade name.

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11. State the name, position, and telephone number of the person completing this application.

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12. Date and sign below to attest to the truth of all representations made in this application.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

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<sup>6</sup> Rule 7.5(a) prohibits trade names that are false or misleading or imply a connection with a government agency or with a public or charitable legal services organization.

**FOR OFFICE USE ONLY**  
Ethics Counsel Approval \_\_\_\_\_  
Date \_\_\_\_\_

Revised Aug. 2009