TIP: You can do a preliminary check on the availability of a business name in Oregon or find a business on our webiste, FilinginOregon.com.

Available Names

The business name must be available. That means that no other business with exactly the same name has an active (up to date) registration in the Corporation Division database. If you do not renew your business registration, your name becomes available to be registered by another business.

Making a Name Distinguishable

The law requires the Secretary of State Corporation Division to accept names that are "distinguishable upon the record."

A business name is distinguishable if it does not exactly copy a name already on record. One word, the order of key words, addition of numbers, creative spelling or even a letter's difference in a name is enough to make it distinguishable. In addition, an assumed business name is filed by county, so there may be identical names in the database associated with different counties.

Protecting and Defending Your Name

Registering your name does not give you the right to use it.

Registering your name does not imply you can legally use it. For example, you might be able to register "Starbucks Coffee and Tea" with the Corporation Division, but the real Starbucks could still sue you. Another business can register a business name that's like yours, but not exactly the same. You can, however, assert your right to use the name, as Starbucks did in the previous example.

Your right to your business name is mainly established by using the name in business, and these rights are enforced by legal action – not by the Corporation Division.

If you need to defend your business name, it's important to get the advice of an attorney. To find a business attorney, consult the Oregon Bar Association's free referral service at 1-800-452-7636, or ask other business owners whom they recommend.

Get registered:
FilingInOregon.com | (503) 986-2200

BRCGU0115

OREGON SECRETARY OF STATE
Corporation Division

Assumed Business Name

Information and answers to questions on assumed business names

- When and why to register
- Available names
- Making a name distinguishable
- Protecting and defending your name

Get registered:
FilingInOregon.com | (503) 986-2200

Registering Your Assumed Business Name

If you want to do business under a name that is not your "real and true name," then you need to register that business name with the State of Oregon Corporation Division. If the name of your business includes the real and true name of each owner, then you don't have to use or register an assumed business name.*

A real and true name means your first name, middle initial or name, and last name. If your name is Jane J. Jones and you conduct business under the name Jane J. Jones Enterprises, you wouldn't be required to register an assumed business name.

For corporations, limited liability companies and other business entities, the business name registered with the State of Oregon Corporation Division is the real and true name of the business, so no additional name registration is required. An assumed business name is only required for entities like corporations and LLCs if they conduct business under a name other than the registered name of their entity. See the chart of examples of assumed business names in this brochure for more information about which businesses must register an assumed business name.

**Also known as DBA, "doing business as."*

When and Why to Register

Tell others who is doing business under that name.

Your assumed business name registration lets the public know that you intend to do business under that name. Your registration helps you establish the name with other businesses while also giving the public contact information.

Doing business without registering a business name may result in a lack of standing in court to pursue or defend legal actions, difficulty in opening bank accounts or accessing capital and entering into contracts.

Registering the name with the Corporation Division does not provide exclusive rights to use the name. *See the section on Protecting and Defending Your Name for more information.*

EXAMPLES OF
Assumed Business Names

REAL AND TRUE NAME	DOING BUSINESS AS	
	DON'T REGISTER ABN	REGISTER ABN
Jane J. Jones	Jane J. Jones Enterprises	Jane Jones Enterprises
		Jane's Enterprises
		Jones Enterprises
		Jane J. Jones & Company
		Jane Jones & Associates
Michael L. Jones & John Smith	Michael L. Jones & John Smith	Michael Jones & John Smith
	Michael L. Jones & John Smith Enterprises	Mike Jones & John Smith
		M. Jones & J. Smith
		Jones & Smith
		M & J Enterprises
Tom Sorenson Construction Inc.*	Tom Sorenson Construction Inc.	Tom Sorenson Construction
*(*Corporate Example)*		Ton Sorenson Homes
		TSC Homes