

Arizona Corporation Commission Naming Standards

Effective 08/12/2005

Laws 2005, chapter 253, amended the Arizona Revised Statutes governing business entities (entity) to require that an entity's name be "distinguishable upon the record". Beginning with filings or name reservations submitted on August 12, 2005, this new standard requires that an entity's name be distinguishable from other names already on file with the Arizona Corporation Commission and the Secretary of State.

A "distinguishable" name is one that is different in any way except for differences in (a) entity designation (Inc, LLC, Corporation, etc), (b) spaces between words ("roll out now co." vs. "rollout now co."), (c) specific punctuation ("Great Expectations " vs. "Great Expectations!") (d) the case of the letters contained in the name ("TOO COOL" vs. "Too Cool"), (e) the use of ampersand (&) versus "and" ("U & I Inc." vs. "U AND I Inc.") (f) the use of Arabic numerals (1,2,3,etc) and words representing these numerals ("One Stop LLC" vs. "1 Stop LLC") and (g) the use of the articles "a", "an" and "the" (A Birdcage vs. The Birdcage).

To view the Corporations Division name search screen, [click here](#).

The following are guidelines to be used in defining "distinguishable."

Note: When reviewing a name for approval, the Division enters the name in upper case letters and removes all punctuation and space between words.

The following items will NOT make a name distinguishable from another name on the record:

1. Words and abbreviations that are required to identify the type of entity are disregarded when considering whether or not a name is available and do NOT qualify a name as distinguishable. This includes abbreviated forms of the identifiers as well as foreign language equivalents.
 - IDENTIFIERS: "corporation", "corp", "company", "incorporated", "limited", "association", "co.", "Ltd.", "Inc.", "limited partnership", "limited liability company", "LLC", "L.L.C.", "limited company", "LC", "L.C.", "LLP", "L.L.P.", "P.C.", "professional corporation", "professional service corporation", "PSC", "PLLC", "PLC", "professional association", "P.A.", "service corporation", "S.C.", "chartered" and "Chtd."
 - For foreign corporations, "words or abbreviations of like import in another language".

o EXAMPLES:

“Fox Co.” is NOT distinguishable from “Fox LLC”

“Los Gatos S.A., Inc.” is NOT distinguishable from “Los Gatos Inc.”

2. The possessive form of a word is NOT distinguishable from the plural.

EXAMPLE: “Bob’s” is NOT distinguishable from “Bobs”

3. All spaces between words are eliminated and do NOT make a name distinguishable.

EXAMPLE: “Right Now Co.” is NOT distinguishable from “Rightnow Co.”

4. Certain symbols, punctuation marks and special characters are eliminated prior to searching for name availability, and do not qualify a name as being distinguishable. The following marks are removed prior to searching name availability:

“” (quotation marks)	. (period)	; (semicolon)	! (exclamation)
’ (apostrophe)	\ (back slash)	(pipe)	? (question mark)
() (parenthesis)	/ (forward slash)	- (hyphen)	... (ellipsis)
, (comma)	~ (tilde)	[] { } <> (brackets)	_ (underscore)
^ (carrot)	: (colon)	` (accent)	--- (dotted line)
* (asterisk)	> < (greater than/less than)		

EXAMPLES:

“Mission: Mars” is NOT distinguishable from “Mission Mars”

“Bob’s” is NOT distinguishable from “Bobs”

“We Rule” is NOT distinguishable from “We Rule!”

5. All names are reviewed in upper case letters. The use of upper and lower case letters does NOT make a name distinguishable.

EXAMPLE: “CRAZY cat” is NOT distinguishable from “Crazy Cat”

6. “&” and “And” are NOT distinguishable.

EXAMPLE: “Tom & Joe’s Place” is NOT distinguishable from “Tom and Joe’s Place”

7. Arabic numbers are NOT distinguishable from words representing the numbers.

EXAMPLES:

“Circle Two” is NOT distinguishable from “Circle 2”

“Nineteenth Hole” is NOT distinguishable from “19th Hole”

8. The Articles “a”, “an” and “the” do NOT make a name distinguishable (note that this does not apply to these articles in any language other than English).

EXAMPLES:

“The Lighthouse Inn” is NOT distinguishable from “Lighthouse Inn”

“A House Apart” is NOT distinguishable from “The House Apart

Note: If the letter “A” is intended to be used in a name as something other than an article, make sure that it is followed (without any spaces) by a period (.), dash (-) or another letter.

The following items DO make a name distinguishable from another name on the record:

1. Prepositions and conjunctions are not eliminated prior to searching for name availability and are considered distinguishable.

EXAMPLES:

“Into the Deep Co.” is distinguishable from “To the Deep Co.”

“Of Mice and Men Inc.” is distinguishable from “Mice and Men Inc.”

2. The same words in a different order may make a name distinguishable.

EXAMPLE: “House Party” is distinguishable from “Party House”

3. Words that are spelled differently or creatively are considered distinguishable.

EXAMPLES:

“Crispy Cream” is distinguishable from “Krispy Kream”

“Capitol Finance” is distinguishable from “Capital Finance”

4. Abbreviations and unabbreviated versions of the same words are distinguishable.

EXAMPLE: “Computer Solution Technology” is distinguishable from “Computer Solution Tech.”

5. The following letters and specific symbols are NOT converted to the word/number equivalent and may make a name distinguishable.

A-Z	%	\$	#
+	=	@	

EXAMPLE: “Dollar Store” is distinguishable from “\$ Store”

6. Roman Numbers are distinguishable from words representing the numbers.

EXAMPLE: “Bookstore III” is distinguishable from “Bookstore Three” or “Bookstore 3”

7. The use of the word “Arizona” may make a name distinguishable.

EXAMPLE: “Arizona Pet Food Specialists Inc.” is distinguishable from “Pet Food Specialists Inc.”

8. Words in a foreign language are not translated into English, but must consist of letters in the Roman alphabet, Arabic numerals (0, 1, 2, 3, etc.), or symbols capable of being readily reproduced by the Division.

EXAMPLES:

“Rio Verde” is distinguishable from “Green River”

“Evangelical Church” is distinguishable from “Evangelico Church”

“El Burrito” is distinguishable from “The Burrito” or “Burrito”

9. The name may not include the term “bank”, “deposit”, “trust”, or “trust company” without first obtaining authorization from the Arizona State Banking Department.

Note: The Arizona Corporation Commission’s (ACC’s) role in determining whether or not an entity’s name is “distinguishable” is ONLY ministerial. Registering or filing a name with the ACC does not grant rights or interests in that name. The ACC does not have the power to determine or settle competing claims to a name under other statutes or under common law. Even though the ACC approved a name as being distinguishable from the names of existing entities (based on the above criteria), you could still be infringing on the naming rights of other parties. In particular, if the name you select is similar to a name already protected by a federal trademark filed at the U.S. Patent and Trademark Office, you could be forced to stop using the name and possibly to disgorge profits. This can also be the case if another entity is already using a similar name in a related field, even if they do not own a federal registration. To search the database of the U.S. Patent and Trademark Office, go to: <http://www.uspto.gov/main/trademarks.htm>.

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