

Section 17922 Business & Professions Code

Upon ceasing to transact business in this state under a fictitious business name that was filed in the previous five years, a person who has filed a fictitious business name statement shall file a statement of abandonment of use of fictitious business name. The statement shall be executed in the same manner as a fictitious business name statement and shall be filed with the county clerk of the county in which the person has filed his or her fictitious business name statement. The statement shall be published in the same manner as a fictitious business name statement and an affidavit showing its publication shall be filed with the county clerk after the completion of publication.

INSTRUCTIONS FOR COMPLETION OF STATEMENT

* Where one asterisk appears in the form: (Section 1)

The name(s) being abandoned

** Where two asterisks appear in the form: (Section 2)

The street address of the principal place of business

*** Where three asterisks appear in the form: (Section 3)

- (a) If the registrant is an **individual**, insert his or her full name and residence address.
- (b) If the registrant is a **married couple**, insert the full name and residence address of both parties to the marriage.
- (c) If the registrant is a **corporation**, insert the name and address of the corporation, as set out in its articles of incorporation on file with the CA Secretary of State, and the state of incorporation.
- (d) If the registrant is a **trust**, insert the full name and residence address of each trustee.
- (e) If the registrant is a **limited liability company**, insert the name and address of the limited liability company, as set out in its articles of organization on file with the CA Secretary of State, and the state of organization.
- (f) If the registrant is a **general partnership, limited partnership, copartners, a limited liability partnership, a joint venture, or an unincorporated association other than a partnership**, insert the full name and residence address of each general partner.
- (g) If the registrants are **state or local registered domestic partners**, insert the full name and residence address of each domestic partner.

**** Where four asterisks appear in the form: (Section 4)

Check the box that describes the nature of the business (how business is being conducted)

***** Where five asterisks appear in the form: (Section 5)

The date the fictitious business name being abandoned was filed and the file number

Section 6

The statement shall be signed as follows:

- If the registrant is an individual, by the individual
- If the registrants is a married couple, by either party
- If the registrant is a corporation, by an officer
- If the registrant is a trust, by a trustee
- If the registrant is a limited liability company, by a manager or officer
- If the registrant is a general partnership, limited partnership, copartners, a limited liability partnership, joint venture, or unincorporated association other than a partnership, by a general partner
- If the registrant is a state or local registered domestic partners, by one of the domestic partners

The Statement of Abandonment of fictitious business name must be published in a newspaper once a week for four successive weeks and an affidavit of publication filed with the county clerk within 30 days after publication has been accomplished. The statement should be published in a newspaper of general circulation in the county where the principal place of business is located. The statement should be published in such county in a newspaper that circulates in the area where the business is conducted (Business & Professions Code 17917)."

17924 (2) "Any person who executes, file, or publishes any fictitious business name statement, knowing that such statement is false, in whole or in part, is guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed one thousand dollars (\$1,000) (Business & Professions Code 17930)."