



## Registering a Trade Name

A sole proprietorship or general partnership will generally use a "trade name." If you intend to operate a sole proprietorship or general partnership using a business name, then you must contact the County Clerk's Office of the county in which the business will be located for registering a trade name. This registration at the county level is compulsory. The registration protects that name from use by other businesses within the county. If you are interested in reserving the trade name in other counties then you must register that name in those counties as well. To protect the name statewide you should register the name in each of the State's 21 counties.

### Procedure for Filing a Trade Name in Monmouth County

*It is the business owners responsibility to verify that he trade name chosen is not currently in use either in this county or in the State of New Jersey as a corporation.*

1. Search the records in the Deed Room of the County Clerk's Office in Freehold for the availability of the name you wish to file. This will require searching in the computer and in the books.
2. Be aware that filing a trade name is only effective in the county in which it is filed. It is possible that the business name exists in another county or as a corporation in the State of New Jersey.
3. The Certificate of Trade Name must be filed out and notarized in our office. **DO NOT SIGN THE FORM UNTIL YOU ARE IN THE RECORDING OFFICE.** The following will be required:
  - Identification (driver's license, passport, etc.)
  - \$54.00 - cash, money order, master card, visa or discover
  - All parties involved must be present
  - Filing fees are non-refundable
4. You will receive two recorded copies of the trade name, one of which your bank may require to open a business account. We will keep the original, and send a copy to the Secretary of State.
5. You must also register your business with the State of New Jersey, Division of Taxation in Trenton (New Business Guide and Information provided when you bring the Trade Name form in for recording).

*Christine Giordano Hanlon, Esq.  
Monmouth County Clerk*



NOTE: INFORMATION BECOMES PUBLIC RECORD

NEW

AMENDMENT

Instrument # \_\_\_\_\_

## Certificate of Trade Name

The person or persons, partner or partners, member or members of the firm or partnership conducting or transacting the said business, who are not residents in this State, do hereby constitute the Clerk of the County and his/her successors in office wherein this Certificate is filed, the true and lawful attorney of such non-resident person or persons, partner or partners, member or members, upon whom all original process may be served (a) in an action or legal proceeding against said firm or partnership or (b) in an action against said person or persons, partner or partners, member or members, for any debt, damages or liability contracted on incurred by them in, or growing out of, the conduct or transaction of said business in the State of New Jersey. It is agreed that such original process which may be served upon the County Clerk shall be of the same force and validity as if served upon said non-resident person or persons, partner or partners, member or members, of the firm or partnership. The authority hereof shall as to such non-residents, continue in force so long as they shall do, conduct or transact the said business in this State under such name.

(FOR RECORDER'S USE ONLY) ↓

I (or We), the undersigned, certify that I (or we) intend to conduct and transact business under the name of:

\_\_\_\_\_

The nature of the business is: \_\_\_\_\_

The business *mailing* address is: \_\_\_\_\_  
Street, Apt. # Town State Zip

*Physical* address of business is: \_\_\_\_\_  
Street Name Municipality or Township County

The true and real full name of the person(s) who will transact said business, and the full post office address(es) of said person(s) is (are) as follows:

\_\_\_\_\_  
(Print real and full name)

\_\_\_\_\_  
(Print full address)

\_\_\_\_\_  
(Print real and full name)

\_\_\_\_\_  
(Print full address)

\_\_\_\_\_  
(Print real and full name)

\_\_\_\_\_  
(Print full address)

**Each of the undersigned acknowledges that he/she has researched the fictitious name he/she wishes to use for the business and has thus established that said name is available for use. This Trade Name Certificate will give the owner(s) of said name the right to use the chosen name within the jurisdiction of Monmouth County. This Certificate, however, does not preclude the use of this name by an incorporated entity or by an entity outside of Monmouth County.**

State of New Jersey  
County of Monmouth  
Sworn and subscribed to before me this  
\_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_

Signature of Business Member: \_\_\_\_\_

Signature of Business Member: \_\_\_\_\_

Signature of Business Member: \_\_\_\_\_

Notary Public