

1. Filing Requested by & When Filed Return To:	FOR COUNTY CLERK USE ONLY		
Name			
Address			
City, State, Zip Code			
FBN Abandonment Filing Fee: \$15.00 - Per filing <u>Please type or print legibly in black ink</u>			

STATEMENT OF ABANDONMENT OF USE OF A FICTITIOUS BUSINESS NAME

The following person(s) has/have abandoned the use of the Fictitious Business Name filed in Madera County:

2. FICTITIOUS BUSINESS NAME INFORMATION			
A. Business Name		B. Business Name	
C. Street Address of Principal Business Location - NO PO BOX/PMB		City	State
			Zip Code
D. Business Telephone Number (Optional)		E. Business Email (Optional)	

3. REGISTRANT INFORMATION			
A. First Name, Middle Name, Last Name, Suffix (if any) OR Entity Name			State of Inc/Org if LLC or Corp
B. Business Mailing Address - LLC/Corp: use address on file w SOS			City
			State
			Zip Code
C. First Name, Middle Name, Last Name, Suffix (if any) OR Entity Name			State of Inc/Org if LLC or Corp
D. Business Mailing Address - LLC/Corp: use address on file w SOS			City
			State
			Zip Code

4. The Fictitious Business Name Statement referred to above was filed with the Madera County Clerk on _____ with a file number of _____.

NOTICE: 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 the 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 within 45 days of filing (BPC 17917).

<p>6. I declare that all information in this statement is true & correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business & Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed \$1000.)</p> <p>Signature of Registrant: _____</p> <p>Printed Name & Title: _____</p>	<p>I hereby certify that this copy is a true and correct copy of the original statement on file in my office.</p> <p align="center">[SEAL]</p> <p align="right">Rebecca Martinez, Madera County Clerk</p> <p align="right">By: _____ Deputy Clerk</p>
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FBN ABANDONMENT INSTRUCTIONS

Section 1 – Filing Requested By & When Filed Return To: Enter the name and mailing address of the person or entity who preparing and is submitting the FBN abandonment for filing. This address will be used to return all copies and the receipt, if submitted by mail.

Section 2 (A – E) – Business Information: Enter the fictitious business name(s) being used in Madera County that is being abandoned. Enter the street address of the business location. DO NOT enter a PO BOX or rented private mailbox. Enter the business telephone number, optional. This may be used by the County Clerk to make contact if needed. Enter the business email address, optional. This may be used by the County Clerk to make contact if needed.

Section 3 – Registrant Information: Enter the registrant’s full legal name as it appears on their ID or entity name as it appears on file with the Secretary of State. If an entity name, also enter the state of organization or incorporation. Enter the BUSINESS MAILING ADDRESS for each registrant. This may be a PO Box or private mailbox. **Corporations/LLCs should enter the address on file with the Secretary of State to avoid delays with financial institutions.** DO NOT LEAVE BLANK.

Section 4 – Filing Reference to Original FBN: Enter the date of filing and original file number of the FBN that is being abandoned. DO NOT LEAVE BLANK.

Section 5 – Signature: Have the required, authorized party sign the statement, indicating that all information is true and accurate. Include the person’s printed name and title, if applicable.

FBN ABANDONMENT LEGAL REFERENCES

Business & Professions Code Section 17922

(a) Upon ceasing to transact business in this state under a fictitious business name that was filed in the previous five years, a registrant who has filed a fictitious business name statement shall file a statement of abandonment of use of fictitious business name. The statement of abandonment shall be executed in the same manner as a fictitious business name statement, excluding the requirements of subdivisions (d), (e), and (f) of Section 17913 and shall be filed with the county clerk of the county in which the registrant has filed the 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.

(b) The statement shall include:

- (1) The name being abandoned and the street address of the principal place of business.
- (2) The date on which the fictitious business name statement relating to the fictitious business name being abandoned was filed, the file number, and the county where filed.
- (3) In the case of an individual, the full name and business mailing address of the individual.
- (4) In the case of a married couple, the full name and business mailing address of both parties to the marriage.
- (5) In the case of a general partnership, a limited partnership, copartners, a limited liability partnership, a joint venture, or an unincorporated association other than a partnership, the full names and business mailing addresses of all of the general partners.
- (6) In the case of a corporation, the name and address of the corporation as set forth in its articles of incorporation on file with the California Secretary of State.
- (7) In the case of a trust, the full name and business mailing address of each of the trustees.
- (8) In the case of a limited liability company, the name and address of the limited liability company as set forth in its articles of organization on file with the California Secretary of State.
- (9) In the case of state or local registered domestic partners, the full name and business mailing address of each domestic partner.

FBN LEGAL REFERENCES

Business & Profession Code 17914 - Who Should Sign?

The statement shall be signed as follows:

- (a) If the registrant is an individual, by the individual.
- (b) If the registrants are a married couple, by either party to the marriage.
- (c) If the registrant is a general partnership, limited partnership, limited liability partnership, copartnership, joint venture, or unincorporated association other than a partnership, by a general partner.
- (d) If the registrant is a limited liability company, by a manager or officer.
- (e) If the registrant is a trust, by a trustee.
- (f) If the registrant is a corporation, by an officer.
- (g) If the registrant is a state or local registered domestic partnership, by one of the domestic partners.

Business & Profession Code 17915 - Where to File?

A fictitious business name statement shall be filed with the clerk of the county in which the registrant has his or her principal place of business in this state or, if the registrant has no place of business in this state, with the Clerk of Sacramento County. This chapter does not preclude a person from filing a fictitious business name statement in a county other than that where the principal place of business is located, as long as the requirements of this section are also met.

Business & Profession Code 17917 - Publication Requirements

- (a) Within 45 days after a fictitious business name statement has been filed pursuant to this chapter, the registrant shall cause a statement in the form prescribed by subdivision (a) of Section 17913 to be published pursuant to Section 6064 of the Government Code in a newspaper of general circulation in the county where the fictitious business name statement was filed or, if there is no such newspaper in that county, in a newspaper of general circulation in an adjoining county. If the registrant does not have a place of business in this state, the notice shall be published in a newspaper of general circulation in Sacramento County.
- (b) Subject to the requirements of subdivision (a), the newspaper selected for the publication of the statement should be one that circulates in the area where the business is to be conducted.
- (c) If a refiling is required because the prior statement has expired, the refiling need not be published unless there has been a change in the information required in the expired statement, provided the refiling is filed within 40 days of the date the statement expired.
- (d) An affidavit showing the publication of the statement shall be filed with the county clerk where the fictitious business name statement was filed within 45 days after the completion of the publication.

Business & Profession Code 17930 - Perjury Warning

Any person who executes, files, or publishes any statement under this chapter, knowing that such statement is false, in whole or in part, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed one thousand dollars (\$1,000).

NOTICE

Your fictitious business name statement must be published in a newspaper once a week for four successive weeks and an affidavit of publication filed with the county clerk when 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 to be conducted (Business and Professions Code Section 17917)

Who Publishes: New Filings and Re-filings with Changes if filed more than 40 days after changes occurred.

LOCAL NEWSPAPERS FOR PUBLICATION

To allow sufficient time for newspapers to prepare the publication, each registrant shall ensure they submit their FBN in a timely manner. **NOTE: If the publication will not occur until after the above mentioned 45 days, registrants may be required to re-file and pay all applicable fees due.**

MADERA TRIBUNE

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Monday-Friday: 8:00 AM – 5:00 PM