

REGISTRATION OF A FICTITIOUS OR ASSUMED TRADE NAME

Office of the Clerk of Circuit Court: P.O. Box 550 LEESBURG, VIRGINIA 20178
703-777-0270 www.loudoun.gov/clerk

The Commonwealth of Virginia requires that a fictitious or assumed trade name certificate be filed with the appropriate Circuit Court(s) if a business is being conducted under a name other than the owner's legal name. No person, partnership, limited liability company or corporation may conduct or transact business in the Commonwealth under any fictitious or assumed name until they file a certificate in the Circuit Court Clerk's Office(s) in the county or city in which their business is conducted (**§59.1-69 of the Code of Virginia**).

Several different types of business entities can own and operate a business which is being conducted under a fictitious or assumed name, and an application form is provided below for each circumstance. Sole Proprietorship, Partnership, Limited Partnership, Corporation, or Limited Liability Corporation are the types of ownership possible in Virginia; all of the entities except the Sole Proprietorship are required to register and be approved for operation by the **Virginia State Corporation Commission**, and all are required to obtain a local (county) business license from the **Commissioner of the Revenue**, and also a local (town) business license from the **Finance Department**, if the business is located in Leesburg, VA.

If the owner of a business later wishes to change the fictitious or assumed name of a business, or if the type of entity of the owner has later changed, but in either case, the business operation is to continue, two additional filings are required: the owner will file a Certificate of Cancellation regarding the "old" business, as well as a new Fictitious or Assumed Name Certificate providing information as to the "new" business.

If the owner wishes to terminate the operation of the business, a Certificate of Dissolution should be filed.

Filing may be completed in person by coming to the Circuit Court Clerk's Office located at 18 East Market Street in Leesburg. You may either hand-carry your application to the Office, or submit it via regular mail by sending the appropriate form(s), appropriate fees, and a self-addressed-stamped-envelope, to the Clerk of the Circuit Court, P.O. Box 550, Leesburg, Virginia, 20178. The Circuit Court Clerk's Office is located on the second floor. Fictitious or Assumed Name Filings are handled at the Public Services counter. The Public Services counter is open Monday – Friday, 8:30 A.M. to 4:00 P.M.

All applications must be legibly completed in black ink, if hand-written. A Notary Public must notarize the application. A deputy clerk can notarize your application if you are filing the application in person at the Clerk's Office. **NOTE: The deputy clerks must witness you signing your name if you are filing the application in person and are requesting the deputy clerks to notarize your signature.**

The fee to file each form is \$10.00. There is an additional fee of \$2.50 for each certified copy of the filing that is requested. Payment in person may be via cash, check or money order, and if by mail, via check or money order only. Checks or money orders must be made payable to the Clerk of the Circuit Court.

NOTE: It is important to note that there may be other requirements to be followed with the other agencies cited above, and contact and consultation with the other involved agencies is required in the event that a business will be operating in Loudoun County under a fictitious or assumed name.