

Form 502—General Information
(Application for Registration of an Entity Name)

The attached form is drafted to meet minimal statutory filing requirements pursuant to the relevant code provisions. This form and the information provided are not substitutes for the advice and services of an attorney and tax specialist.

Commentary

Sections 5.151 to 5.154 of the Texas Business Organizations Code (BOC) govern registration of entity names. The following organizations may register their names: (1) any organization authorized to do business in Texas as a bank, trust company, savings association or insurance company, or (2) any foreign filing entity not registered to do business in Texas.

Duration: The registration of a name is effective for one year unless the entity files an earlier written notice of withdrawal. An application for registration of an entity name may be renewed for successive one-year periods if an application for renewal of name registration is filed during the 90-day period preceding the expiration of that registration. The filing fee for an application to renew a name registration is **\$40**.

Instructions for Form

- **Entity Name:** Set forth the entity name to be registered. Section 5.153 of the BOC and the secretary of state's name availability rules provide that a registered name cannot be the same as, deceptively similar to, or similar to that of any existing domestic or foreign filing entity, or any name reservation or registration filed with the secretary of state. If the applicant is a bank, trust company, savings association or insurance company that has been in continuous existence from a date that precedes the date the conflicting name is filed with the secretary of state, the registration may be filed irrespective of the conflict.

The administrative rules adopted for determining entity name availability (Texas Administrative Code, title 1, part 4, chapter 79, [subchapter C](http://www.sos.state.tx.us/tac/index.html)) may be viewed at www.sos.state.tx.us/tac/index.html. If you wish the secretary of state to provide a preliminary determination on name availability, you may call (512) 463-5555, dial 7-1-1 for relay services, or e-mail your name inquiry to corpinfo@sos.state.tx.us. A final determination cannot be made until the document is received and processed by the secretary of state. Also note that the preclearance of a name or the issuance of a certificate under a name does not authorize the use of a name in violation of another person's rights to the name.

- **Entity Address:** Set forth a street or mailing address at which the entity may be contacted.
- **Jurisdiction and Date of Formation:** Set forth the date of formation of the organization and the state or country under whose laws the organization is formed.
- **Nature of Business:** Set forth a brief statement of the nature of the organization's business.
- **Certification of Existence:** By signing the application for name registration the person signing is certifying that the organization validly exists and is doing business under the laws of its jurisdiction of formation. In this item, check the applicable box to indicate the nature of the organization. If no

box applies, check “other foreign organization” and specify the organization type in the space provided.

- **Execution:** A governing person or managerial official of the entity must sign the application for name registration. Before signing, please read the statements on this form carefully. *A person commits an offense under section 4.008 of the BOC if the person signs or directs the filing of a filing instrument the person knows is materially false with the intent that the instrument be delivered to the secretary of state for filing. The offense is a Class A misdemeanor unless the person’s intent is to harm or defraud another, in which case the offense is a state jail felony.*
- **Payment and Delivery Instructions:** The filing fee for an application for registration of an entity name is **\$40**. Fees may be paid by personal checks, money orders, LegalEase debit cards, or American Express, Discover, MasterCard, and Visa credit cards. Checks or money orders must be payable through a U.S. bank or financial institution and made payable to the secretary of state. Fees paid by credit card are subject to a statutorily authorized convenience fee of 2.7 percent of the total fees.

Submit the completed form in duplicate along with the filing fee. The form may be mailed to P.O. Box 13697, Austin, Texas 78711-3697; faxed to (512) 463-5709; or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. If a document is transmitted by fax, credit card information must accompany the transmission (Form 807). On filing the document, the secretary of state will return the appropriate evidence of filing to the submitter together with a file-stamped copy of the document, if a duplicate copy was provided as instructed.

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