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ASSUMED BUSINESS NAME APPLICATION FILING INSTRUCTIONS

Who Must File (805 ILCS 405/1)

No person or persons shall conduct or transact business in this State under an assumed name, or under any designation, name or style, corporate or otherwise, other than the real name or names of the individual or individuals conducting or transacting such business, unless such person or persons shall file in the office of the County Clerk of the County in which such person or persons conduct or transact or intend to conduct or transact such business, a certificate setting forth the name under which the business is, or is to be, conducted or transacted, and the true or real full name or names of the person or persons owning, conducting or transacting the same, with the post office address or addresses of such person or persons and every address where such business is, or is to be, conducted or transacted in the county. The certificate shall be executed and duly acknowledged by the person or persons so conducting or intending to conduct the business.

NOTE: Corporations and Limited Partnerships file with the Secretary of State. You should seek legal advice to determine what filings are necessary in such cases.

Filing Procedures

1. Completed **Assumed Business Name Application** must include the name and physical address of the business, the type of product or service you are providing, and the names and home addresses of all owners/partners in the business.
2. All owners/partners must sign the form in front of a Notary Public.
3. The application is then filed in the Kendall County Clerk's Office along with a \$5.00 filing fee. At that time the Assumed Name Publication Notice will be issued to you.
4. It is the responsibility of the owner to publish the notice in a general circulation Kendall County newspaper. The Publication Notice is published once a week for three consecutive weeks. The first of the three notices must be published within **15 days** of the initial filing date in the clerk's office.
5. After publishing, in order for the filing requirements to be complete, the County Clerk must receive the completed Publisher's Certificate from the newspaper. It is the responsibility of the owner to be sure it is filed in the clerk's office within **50 days** from the date of filing. Failure to file proof of publication renders the registration void.
6. Once the Publisher's Certificate is filed, the business will be given a Certificate of Ownership of Business. This will complete all the Assumed Name filing requirements.
7. If there are any changes in the business address, ownership or owners address, it is necessary to file a Supplemental Assumed Business Name Application with the County Clerk's Office indicating the change. There is no additional filing fee; however, publication is required when the change affects 25% or more of the total ownership.

Other Types of Business Registration

- Contact the city or village in which the business is located for local licensing requirements.