

Time to Refile? Assumed Business Names Filed Before Dec. 1, 2017 Expire Dec. 1, 2022

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What is an assumed business name?

Business entities such as sole proprietorships, partnerships, corporations and limited liability companies often do business under an “assumed” name, which is usually the name the general public would associate with the entity. An assumed business name is often called a “DBA,” “d/b/a” or “doing business as.”

Is my company’s assumed business name expiring?

If you filed an assumed business name prior to Dec. 1, 2017 and haven’t refiled since then, your assumed business name expires on Dec. 1, 2022, and must be renewed to stay active.

Why are assumed business names filed prior to Dec. 1, 2017 expiring?

Effective Dec. 1, 2017, the North Carolina legislature revised Article 14A, Chapter 66 of the North Carolina General Statutes. These revisions established an online state database containing assumed business name filings, allowed companies to designate multiple counties for conducting business in a single filing, removed the notarization requirement, established a sixty (60) day time period to amend a filing following changes to the business entity’s information, and allowed for a 5-year transition period for filers to refile their pre-existing assumed business name filings. That 5-year transition period ends Dec. 1 of this year, so any filer who wishes for their assumed business name to remain effective must refile.

Where do I need to refile to keep my company’s assumed business name active?

If this Dec. 1, 2022 expiration applies to you, you will need to refile in your local Register of Deeds Office. To file, you will need an original, signed copy of your entity’s assumed business name certificate.

Any business operating in this State under an assumed business name must have an assumed business name certificate filed in the Register of Deeds Office of the county in which the business operates. If there are multiple counties involved, filing is now required in only one of those counties. The register of deeds for the applicable county is responsible for indexing assumed business names filed in that county.

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What happens if I don't refile in time?

If your business entity's assumed business name expires this year and you don't refile in time, the assumed business name will be considered abandoned. You will have to file a new assumed business name certificate if you intend to continue using your assumed business name.

How long will a new assumed business name filing be effective?

Under N.C.G.S. § 66-71.12, assumed business name certificates are effective upon filing and until withdrawn. No further assumed business name filings are needed (unless circumstances arise that necessitate an amendment).

When might I need to amend my assumed business name filing?

Your business entity's assumed business name filing will need to be amended if any of the following changes occur:

- Change in assumed business name
- Addition or deletion of real name of person or entity engaging in business under assumed business name
- Change in the nature of the business
- Change of street address of principal place of business
- Change of mailing address
- Addition or deletion of counties where assumed business name will be used to engage in business

Contact Melissa Bailey or Erin Barker if you need assistance refileing your assumed business name certificate or if you have other questions about your business entity's assumed business name.

PEOPLE

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