## Filing Tips for the Texas Secretary of State

Nuts and Bolts of LLCs, LPs and Partnerships

UTLAW CLE

THE UNIVERSITY OF TEXAS SCHOOL OF LAW

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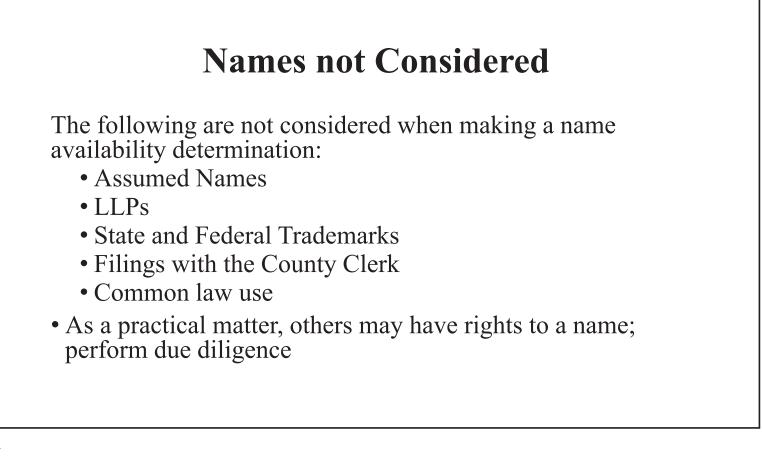
**Entity Names** 

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# **Determining Name Availability**

SOS determines the availability of legal names for corporations, limited liability companies, limited partnerships, and professional associations as well as name reservations and name registrations.

Also applies to fictitious names if a foreign entity registers to transact business and its legal name is not available in Texas.



### Entity Name Availability Standard BOC §§ 5.053, 5.102 & 5.153 1 TAC §§ 79.30 – 79.46

• "Distinguishable in the Records" or "DIR" – no visible conflict based on SOS records –Basically... unique enough!

• Same

- name is not available, even with consent

• Available with Consent

 name is not distinguishable but is permitted with notarized consent

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# Practice Pointers Ask clients for multiple options Texas Comptroller Entity Search – quick, free, but not perfect SOSDirect Name Availability Search Call (512) 463-5555 Email corpinfo@sos.texas.gov

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### Title search: Nuts and Bolts of LLCs, LPs and Partnerships: Filing Tips for the Texas Secretary of State

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