

Update from the Office of the Secretary of State

2016 LLCs, LPs and Partnerships
July 14-15, 2016
Austin, Texas

Prepared by: Carmen Flores
Presented By: Briana Godbey
Business & Public Filings Division
Office of the Secretary of State



1

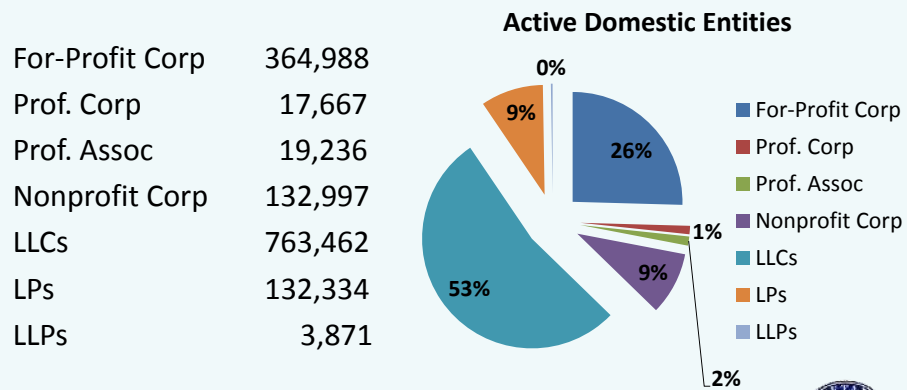
New Texas Business Entity Filings

	<u>2015</u>	<u>2014</u>
For-Profit Corporations	22,756	23,750
Limited Liability Companies	135,250	126,091
Limited Partnerships	5,676	5,888
Limited Liability Partnerships (initial & renewed registrations)	3,558	3,789



2

SOS Census June 1, 2016



3



Formation Filing Issues

- ✓ Entity Name Availability
- ✓ Registered Agent/Office

4



Entity Name Availability Standard

§§ 5.053, 5.102 & 5.153

SAME	DECEPTIVELY SIMILAR	SIMILAR
<ul style="list-style-type: none"> • Comparison shows no difference 	<ul style="list-style-type: none"> • Comparison shows some apparent differences 	<ul style="list-style-type: none"> • Comparison of names reveals similarities that may tend to mislead as to identity or affiliation

5



Consent Applies Only to Similar Names

Steakley v. Braden

322 S.W.2d 363

(Tex. Civ. App.—Austin 1959, writ ref'd n.r.e.)

Consent does not apply to names that are deceptively similar. Legislature did not empower persons to authorize, by giving consent, the practice of unfair competition, confusion or fraud.

6



Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Update from the Office of the Secretary of State

Also available as part of the eCourse

[2016 LLCs, LPs and Partnerships eConference](#)

First appeared as part of the conference materials for the
25th Annual LLCs, LPs and Partnerships session

"Secretary of State Update"