COQUILLE INDIAN TRIBAL CODE

CHAPTER 209
Part 2 – Economic Development

Assumed Business Name
# COQUILLE INDIAN TRIBAL CODE

## CHAPTER 209

Assumed Business Name

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209.010  Background

The Tribe and its affiliates engage in business. It is common for businesses to use a public name that is different from their Real and True Name. This Ordinance establishes a process for the Tribe and Tribal Entities (as defined below) to register such Assumed Business Names.

209.020  Jurisdiction: (Reserved).

209.030  Definitions

1. Assumed Business Name – one or more words or numerals, or a combination of words and numerals, which an Entity uses to identify itself, but not the Entity’s Real and True Name.
2. Business – activity conducted or transacted by or on behalf of an Entity, whether or not such activity is conducted for profit.
3. Designee – a Tribal government employee or official authorized in writing by the Tribal Council Secretary / Treasurer to carry out all or some of the Tribal Council Secretary / Treasurer’s duties under this Ordinance.
4. Entity – a for-profit corporation, nonprofit corporation, limited liability company, the Tribal government or a division of Tribal government.
5. Real and True Name – the full legal name of the entity as written on its organizational document (for a corporation, its articles of incorporation, for a limited liability company, its certificate of formation).
6. Tribal Council – the Tribal Council of the Tribe.
7. Tribal Entity – an Entity that is wholly owned by the Tribe, either directly or indirectly, or any Entity that the Tribal Council by resolution authorizes to request an Assumed Business Name.
8. Tribe – the Coquille Indian Tribe.

209.050  Registration of Assumed Business Names

1. Tribal Entities or authorized agents of Tribal Entities may register Assumed Business Names with the Tribal Council Secretary / Treasurer, or Designee.
2. A Tribal Entity may register more than one Assumed Business Name.
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209.070 Assumed Business Names must be Distinct
The Tribal Council Secretary / Treasurer or Designee will only register an Assumed Business Name if it determines that the proposed name is distinct from all Assumed Business Names previously registered.

209.100 Return of Assumed Business Name request unprocessed
A request for an Assumed Business Name filed by an entity other than a Tribal Entity shall be returned to the requester unprocessed.

209.200 Accessing information regarding registered Assumed Business Names
The Tribal Council Secretary / Treasurer or Designee shall maintain a database of all Assumed Business Name applications and decisions. Any Tribal Entity official may request to view information from this database. A Tribal Entity may authorize a non-Tribal entity to view Assumed Business Name information about that Tribal Entity.

209.300 Filing of an ABN under this ordinance is not required
A Tribal Entity is not required to file an Assumed Business Name request under this Ordinance.

209.400 Legal Interpretation of Filing
Filing of an Assumed Business Name request, alone, shall not be construed by any court of competent jurisdiction that a business name was unauthorized prior to such filing.

209.500 Amendment of Assumed Business Name
Applicant can amend an ABN at any time by filing a request for Amendment of Assumed Business Name with the Tribal Council Secretary / Treasurer or designee.

209.600 Termination of Assumed Business Name
1. An Applicant can terminate an Assumed Business Name at any time by filing a request with the Tribal Council Secretary / Treasurer or designee.
2. The Tribal Council Secretary / Treasurer or Designee may cancel an Assumed Business Name if the associated Tribal Entity is dissolved or if its corporate authority is withdrawn or revoked.

209.700 Transfer of Assumed Business Name

Assumed Business Names of Tribal Entities may be transferred only with the written consent of the most recent Tribal Entity owner of the Assumed Business Name.

209.800 Rulemaking Authorization

The Tribal Council Secretary / Treasurer, or Designee, is authorized to develop rules to carry out the provisions of this Chapter, including, but not limited to rules for:

1. Requesting, amending and terminating an Assumed Business Name;
2. The development and use of forms related to the Assumed Business Name database;
3. Defining what constitutes a distinct or non-distinct business name; and
4. Accessing information from the Assumed Business Name database.

Legislative History Chapter 209 Assumed Business Name

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