

CHECKLIST FOR: Name Search and Reservation under the *Partnership and Business Names Act* of the Northwest Territories

Prior to choosing a proposed name, you may wish to conduct a basic search of Northwest Territories entity registrations via the Corporate Registries Online System (CROS): <https://www.justice.gov.nt.ca/app/cros-rsel/search>; however, the Application for Name Search and Reservation **must still be submitted** to the Registry and is subject to the provisions of the *Partnership and Business Names Act* (PBA) and Regulations (Regs). If a proposed name is approved with conditions, the specified conditions must be met in order to continue and complete the registration process of the partnership or business entity.

The checklist below is **not exhaustive**, and is intended as a guideline for your convenience only. In the case of any discrepancies between this checklist and the PBA and Regs, the provisions of the PBA and Regs shall prevail.

- This checklist is applicable only to general Partnerships and Business Names (Sole Proprietorships)

1) **REQUIRED ELEMENTS** - all of the following requirements apply:

- The name must NOT end with 'Limited', 'Limitée', 'Incorporated', 'Incorporée', 'Corporation', 'Société', 'Ltd.', 'Ltée', 'Inc.' or 'Corp.'
- The name may NOT include 'condominium corporation', 'co-operative', 'coopérative', 'credit union', 'caisse de crédit', 'housing authority' or any abbreviation or derivation of these terms.
- The name must be shorter than 120 characters in length, including punctuation marks and spaces.
- The first character of the name must be an Arabic numeral or a letter or character of the English or French language.
- The name must include only Arabic numerals or a letter or character of the English or French language; including accents or characters listed in section 9 of the PBA Regs.
- The name must NOT be primarily a combination of punctuation or other marks.
- The name must NOT lead to the inference that the PBA does not apply to this entity.
- The name must NOT contain a word or expression that is obscene, or connote a business that is scandalous, obscene or immoral, or is otherwise objectionable.

2) **PARENTHESIS/BRACKETS:** The name must NOT include a year in parenthesis/brackets, unless the partnership or business entity is a successor partnership or business entity, and the year is the year in which it became a successor.

3) **GENERAL/VAGUE NAME:** The name may NOT be too general, per section 14 of the PBA Regs.

4) **NAME OR SURNAME OF INDIVIDUAL:** The name may NOT be only the given name or surname of an individual.

5) The name may NOT appear to indicate that the partnership or business entity:

- a. carries on business under royal, vice-regal or governmental patronage, approval or authority;
- b. is sponsored or controlled by, or is affiliated with any government or government agency;
- c. is sponsored or controlled by a university, college or technical institute that is regulated by provincial, territorial or federal legislation;
- d. carries on the business of a bank,

unless consent is proven per section 17 of the PBA Regs.

6) The name must NOT be identical or confusingly similar to:

- a. an existing corporation,
- b. an existing active name reservation,
- c. an existing Business Name (Sole Proprietorship), Partnership, association, or firm;
- d. a trademark registered pursuant to the *Trade-marks Act* of Canada,

unless compliant with sections 14-19 of the PBA Regs.