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

This checklist is **not exhaustive, and is intended as a guideline** for your convenience only. In the case of any discrepancies between this checklist and the *Business Corporations Act* (BCA) and Regulations (Regs), the provisions of the *Business Corporations Act* and Regulations shall prevail.

- If the corporation is extra-territorially registering and is also NOT an extra-territorial numbered and/or federal corporation, proceed to **number 6** on this checklist.

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

- The name must 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 may **NOT** suggest that the corporation is, or will be, involved in any activity contrary to its articles; or as an insurer, trust company, stock exchange, or railway, steamship, air transport, canal, telegraph, telephone or irrigation company.
- 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 14 of the BCA Regs.
- The name must **NOT** be primarily a combination of punctuation or other marks.
- The name must **NOT** appear to be a number name ("numbered company") under the BCA.
- The name must **NOT** lead to the inference that the BCA does not apply to this corporation.
- 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 corporation is a successor corporation and the year is the year in which it became a successor corporation.

3) **GENERAL/VAGUE NAME**: The name may **NOT** be too general, per section 23 of the BCA Regs.

4) **NAME OR SURNAME OF INDIVIDUAL**: The name may **NOT** be primarily or only the given name or surname of an individual, per subsection 23(c) and section 25 of the BCA Regs.

5) The name may **NOT** appear to indicate that the corporation:
   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 26 of the BCA Regs.

6) The name must **NOT** be identical or confusingly similar to:
   a. another corporation,
   b. an existing active name reservation,
   c. an existing active Business Name (Sole Proprietorship), Partnership, association, or firm;
   d. a trademark registered pursuant to the *Trade-marks Act* of Canada,
   unless compliant with sections 28-30 of the BCA Regs.