START\_STATUTE10-1506.  Corporate name of foreign corporation

A.  If the corporate name of a foreign corporation does not satisfy the requirements of section 10‑401, to obtain or maintain a grant of authority to transact business in this state the foreign corporation:

1.  Shall either:

(a)  Add the word "association", "bank", "company", "corporation" or "incorporated" or an abbreviation of one of these words to its corporate name for use in this state.

(b)  Use a fictitious name that satisfies the requirements of section 10‑401 to transact business in this state if its real name is unavailable and it delivers to the commission for filing a copy of the resolution of its board of directors, certified by its secretary, adopting the fictitious name.

2.  Shall not include language in its corporate name stating or implying that the foreign corporation is organized for a purpose other than that allowed by section 10‑301 and its articles of incorporation.

3.  Notwithstanding paragraph 1, subdivision (a) of this subsection, shall not include the words "bank", "deposit", "credit union", "trust" or "trust company" separately or in combination in its corporate name to indicate or convey the idea that the foreign corporation is engaged in banking or trust business unless the foreign corporation is to be and becomes actively and substantially engaged in the banking, credit union or trust business or the foreign corporation is a holding company holding a substantial interest in companies actively and substantially engaged in the banking or trust business.

B.  Except as authorized by subsection C of this section, the corporate name, including a fictitious name, of a foreign corporation shall be distinguishable from:

1.  The corporate name of a corporation incorporated in this state or a foreign corporation authorized to transact business in this state.

2.  A corporate name reserved under section 10‑402 or registered under section 10‑403.

3.  The fictitious name adopted by another foreign corporation under this section.

4.  The corporate name of a nonprofit corporation incorporated under this title or a foreign nonprofit or not for profit corporation authorized to conduct affairs in this state.

5.  The partnership name of a limited partnership organized and registered under the laws of this state or of a foreign limited partnership authorized to transact business in this state.

6.  The name of a limited liability company organized under title 29 or a foreign limited liability company authorized to transact business in this state.

7.  A trade name registered pursuant to title 44, chapter 10, article 3.1.

8.  The name of a registered limited liability partnership registered under title 29, chapter 5, article 10 or a foreign registered limited liability partnership authorized to transact business in this state.

C.  The commission shall authorize the use of a name that is not distinguishable under subsection B of this section from one or more of the names described in subsection B of this section if the applicant delivers to the commission a certified copy of a final judgment of a court of competent jurisdiction establishing the applicant's right to use the name applied for in this state.

D.  If a foreign corporation authorized to transact business in this state changes its corporate name to one that does not satisfy the requirements of section 10‑401, it may not transact business in this state under the changed name until it adopts a name satisfying the requirements of section 10‑401 and obtains amended authority under section 10‑1504. END\_STATUTE