

## **Notice – Business Names Act – Registering a Business Name**

Effective Date: This Notice is effective on October 19, 2021.

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Business names must be registered under the Business Names Act (BNA) with the Ministry of Government and Consumer Services (Ministry), and are placed on the public record for public disclosure. Anyone may search business name information maintained in the Ministry records for a fee to find the owners or principals behind a business name.

Filings must be made in the required form and format, and meet all requirements and technical specifications established by the Registrar.

### **Who must register:**

- Sole proprietorships (one owner) carrying on business under a name other than the individual's full name;
- General partnerships carrying on business under a firm name other than the full names of all the partners
- General partnerships or limited partnerships (Ontario or extra-provincial) carrying on business under a business name other than their registered firm name
- Corporations (Ontario or extra-provincial) carrying on business under a business name other than their corporate name
- Limited liability partnerships (Ontario or extra-provincial) - firm name
- Extra-provincial limited liability companies - company name

Under the BNA, a registration is effective for 5 years from the date it is accepted by the Registrar for registration. A registrant may renew a registration before it expires.

If the registrant has not filed a renewal within sixty days after it expires, the registrant must file a new registration, and will be assigned a new Business Identification Number (BIN).

If any of the information set out in the registration changes, the registrant must file an amended registration within 15 days after the change: The registrant may request cancellation of a registration.

## 1. How to Register, Renew, Amend or Cancel Online

You can register a business, firm or company name online if you received a company key giving you authority over the registrant (not applicable for new registrants). You can also renew, amend or cancel online if you received a company key (see [Notice – Company Key](#)):

- 1) Directly with the Ministry through ServiceOntario at our website [www.ontario.ca/businessregistry](http://www.ontario.ca/businessregistry).

You must use a valid and up-to-date ServiceOntario [online account](#) to complete and file this application electronically with ServiceOntario. You may save drafts prepared online for up to 90 days before filing. ServiceOntario has no access to your drafts until the application is filed.

OR

- 2) Through private sector service providers under contract with the Ministry if you are registering or renewing a business name for a sole proprietorship, a firm name for a general partnership or a business name for a corporation. The service providers charge an additional fee.

To file through a service provider visit:

- [ecore by Dye & Durham Corporation](#)
- [ESC Corporate Services Ltd.](#)

### Search

Before you register a new business name, you can search the Ministry's records of existing registrations to see if the name of your business is already being used by another business and where that business is located. Please see [Notice – Searching the Public Record](#).

## 2. Required Documents and Information

### Initial Registration

To register online, have the following documents and information ready:

1. **Business, firm or company name to be registered**
2. **Administrative Information** (not shown on public record):
  - Contact information: name, email address
  - An official email address for the business
3. **Address of the principal place of business** If there is a place of business in Ontario, you must provide the address of the principal place of business in

- Ontario. If there is no place of business in Ontario, you must provide the address of the principal place of business outside Ontario
4. **A NAICS business activity code** (see below – NAICS Code)
  5. **Registrant information** (not required for a business name registration for a corporation or a partnership where registrant information is already on record)
    - **Sole proprietorship (business name):**
      - full name of the individual
      - address for service of the individual
    - **General partnership, Ontario limited liability partnership or extra-provincial limited liability partnership (only required when registering the firm name):**
      - the number of partners
      - the full name and address for service of the partner if the partner is an individual or an entity other than a corporation or a partnership
      - if the partner is a corporation, the corporate name and Ontario Corporation Number (OCN) is also required; you must acknowledge that the registered or head office address of the corporation shown on the records maintained by the Ministry will form part of the registration
      - if the partner is a partnership that has been assigned a BIN, the BIN and the firm name are also required; you must acknowledge that the address of the principal place of business of the partnership shown in the records maintained by the Ministry will form part of the registration
      - if the registrant is an extra-provincial limited liability partnership, the governing jurisdiction is also required
    - **Extra-provincial limited liability company (company name):**
      - the governing jurisdiction
  6. **Person authorizing the registration** (see below – Person Authorizing Registration)
  7. **A valid credit or debit card ready to pay the filing [fee](#)** Please note that service providers may charge an additional fee.

### **Renew, Amend or Cancel a Registration**

To renew, amend or cancel online, have the following documents and information ready:

1. **The registered business, firm or company name to which the filing relates and BIN**
2. **Administrative information** (not shown on public record):
  - Contact information: name, email address, telephone number
  - An official email address for the business

3. **Registrant information** (not required for an extra-provincial limited liability company or an Ontario or extra-provincial limited liability partnership where registrant information is already on record)
  - **Sole proprietorship (business name):**
    - Full name of the individual
  - **General partnership or limited partnership (only required if renewing, amending or cancelling a business name)**
    - Firm name and BIN assigned to the firm name
  - **Corporation:**
    - Corporate name and OCN
4. **If filing an amendment, any changes to the information set out in the registration**
5. **Person authorizing the registration** (see below – Person Authorizing Registration)
6. **If filing a renewal, a valid credit or debit card ready to pay the renewal fee.** Please note that service providers may charge an additional fee.

### **Important – Additional Required Documents and Information**

You may also need to obtain consent(s) to a name if required under the BNA and regulations.

Note: Registrants (corporations and other persons) must retain the above consents in accordance with section 21 of the General Regulation under the BNA at the principal place of business, designated partner's address for service in Ontario or registered or head office in Ontario, as applicable. If required by written notice from the Registrar, the registrant must file the consents in accordance with the notice.

### **3. Documents Issued by the Ministry**

When the registration, renewal, amendment or cancellation is accepted, you will receive your documents by email:

1. Certificate of Registration – in the case of an initial registration or renewal, this is your official business name registration issued by the Ministry that contains your business, firm name or company name, BIN, effective and expiry dates
2. Registration Information – this a record of your registration information or cancellation
3. Terms and Conditions for online filings
4. Company key, unless previously issued; this is needed for future filings
5. Payment receipt for initial registration or renewal

These documents will be emailed to the official business email address provided and to the contact person specified, except for the company key, if applicable, which is sent only to the official business email address.

[Terms and conditions](#) must be agreed to by the person(s) signing or otherwise authorizing the filing, and any person(s) acting on their behalf (the “authorizer(s)”) and by the corporation. This is a mandatory requirement for filing.

To file by mail, see below – Register, or Renew, Amend or Cancel a Registration by Mail.

#### **4. Person Authorizing Registration**

##### **Sole Proprietorships**

If the submission of the form is approved by the individual sole proprietor, provide the full name of the individual. If the submission of the form is approved on behalf of the individual by an attorney acting under a power of attorney, provide the information set out below under “Attorney”.

##### **General Partnerships**

If the submission of the form is approved by a partner, indicate the full name, corporate name or firm name of the partner, as applicable. If the partner is not an individual, provide the full name and position of the individual representing the partner. If the submission of the form is approved on behalf of the partnership by an attorney acting under a power of attorney, provide the information set out below under “Attorney”.

##### **Limited Partnerships (Ontario and Extra-Provincial)**

The submission of the form can be approved on behalf of the limited partnership by one of the partners, other than a limited partner. If submission of the form is approved by a partner, indicate the full name, corporate name or firm name of the partner, as applicable. If the partner is not an individual, indicate the full name and position of the individual representing the partner. If the submission of the form is approved on behalf of the partnership by an attorney acting under a power of attorney, provide the information set out below under “Attorney”.

##### **Limited Liability Partnerships (Ontario and Extra-Provincial)**

If the submission of the form is approved by a partner, indicate the full name, corporate name or firm name of the partner, as applicable; and if the partner is not an individual, indicate the full name and position of the individual representing the partner. If the submission of the form is approved on behalf of the partnership by an attorney acting under a power of attorney, provide the information set out below under “Attorney”.

##### **Corporations (Ontario and Extra-Provincial)**

If the submission of the form is approved on behalf of the corporation by a director or officer of the corporation, indicate the full name and address for service of that

individual. If the director or officer information is not correct or up to date, you must file a Notice of Change under the Corporations Information Act. See [Notice – CIA – Filing an Initial Return and Notice of Change – Ontario Corporations](#). If the submission of the form is approved on behalf of the corporation by an attorney acting under a power of attorney, provide the information set out below under “Attorney”.

#### Extra-Provincial Limited Liability Companies

If the submission of the form is approved on behalf of the company by a general manager or representative of the company, indicate the full name and address for service of that individual. If the representative is not an individual, you must also provide the full name and position of the individual representing the entity. If the submission of the form is approved on behalf of the company by an attorney acting under a power of attorney, provide the information set out below under “Attorney”.

#### Attorney

If a registration is authorized by a person acting under a power of attorney, provide the information required by the General Regulation under the BNA; the full name and address for service in Ontario of the attorney and, if the attorney is not an individual, the OCN or BIN, if any, and the full name and position of the individual representing the attorney.

## 5. Name Requirements

Name requirements are set out in the BNA and the General Regulation made under the BNA. Examples are set out below. It is the registrant’s responsibility to ensure compliance; if a name is registered that is contrary to the requirements, the name is subject to cancellation at any time under section 4 of the BNA.

Only letters from the Roman alphabet, Arabic numerals or a combination of letters from the Roman alphabet and Arabic numerals together with punctuation marks and prescribed marks may form part of a registered name.

Business names that contain characters from other alphabets must be translated and registered in a language that contains only letters from the Roman alphabet. A business name in a language other than one using the Roman alphabet may be used in advertising and signs, but the registered business name must also be displayed in a language using the Roman alphabet.

The following marks may be included in the business name:

! “ ” « » # \$ % & ' ( ) \* + , - . / \ : ; < = > ? [ ] ^ ≤ ≥ @ , ‘ ’ ^ ”

The following marks may be used only as part of a French character and not separately:

، ‘ ` ^ ”

The first character of a name must be a letter of the Roman alphabet, an Arabic numeral or one of following marks:

! # @

The registrant is responsible for ensuring that the name complies with the BNA and General Regulation. For example, certain words or expressions cannot be used:

- Words or expressions, in any language, that are contrary to public policy, including a word or expression that is scandalous, obscene or immoral.
- Words or expressions that would suggest that the registrant is a form of organization that the registrant is not. For example, you may not imply that a sole proprietorship is a partnership. You may not use numbers or words that imply the business name is a corporate number name. In addition, the registered name of a business carried on for profit should not contain words that imply it is a not-for-profit organization.
- The word “college”, “institute” or “university”, if the use of the word would suggest that the registrant is a post-secondary educational institution, unless written consent is received from the Minister of Colleges and Universities or such other member of the Executive Council as may be assigned the administration of the Ministry of Training, Colleges and Universities Act.
- The word “Limited”, “Limitée”, “Incorporated”, “Incorporée”, “Corporation”, or any abbreviation of these words. There is an exception for the use of the word “limited” in the name of a limited liability partnership, extra-provincial limited liability company or in the name of a limited partnership formed under the Limited Partnerships Act (LPA).
- The words “Limited Liability Partnership” or the abbreviation “LLP” in the business name unless you are registering an Ontario limited liability partnership or an extra-provincial limited liability partnership.
- The words “Limited Liability Company” or the abbreviation “LLC” in the business name unless you are registering an extra-provincial limited liability company.
- A word, expression or abbreviation the use of which is restricted under an Act or regulation of Canada or Ontario unless the registrant satisfies the restriction.
- A word or expression that suggests that the business or activity of the registrant is connected with (a) the Crown in right of Canada or in right of a province, (b) the Government of Canada or of a territory or province, (c) a municipality, or (d) an agency of the Crown or of a government or municipality, unless the registrant obtains the written consent of the applicable Crown, government, municipality or agency.
- The name of a specific individual unless, (a) at any time before or during the period of the registration of the name, the individual has or had a material interest in the business or activity carried on by the registrant; and (b) the individual consents in writing to the use of his or her name. If the individual is deceased and his or her death occurred within 30 years before the name is registered, the

heir, executor or administrator of the individual may consent in writing to the use of the individual's name.

## **6. General Information**

### **Certificate of Registration as Proof of Business Name Registration**

A Certificate of Registration together with your Registration Information may be used as proof of business name registration at financial institutions and to facilitate any other business-related registration with the Ontario government.

A Master Business Licence will no longer be issued. If you have a Master Business Licence, it remains valid until it expires or is cancelled. If you amend or renew your registration, you will receive a Certificate of Registration and Registration Information to replace the Master Business Licence.

### **Business Identification Number (BIN) and Business Number (BN)**

The Ministry assigns a BIN when a business name is registered in Ontario. The provincial BIN is different than the federal Business Number (BN). The BN is assigned by the Canada Revenue Agency (CRA) for federal programs.

### **NAICS code**

The North American Industry Classification System (NAICS) code is a 2 to 6 digit number based on the main activity of your corporation or other entity. You must select the primary code that best describes the main activity of your corporation or other entity. For example, a code for a hair salon could be "812116 – unisex hair stylist shops"). The NAICS code is required under the BNA and LPA and appears on the public record in respect of filings made under those Acts.

If you are filing online, you may type the word associated with your main activity and the electronic business registration system will provide a code that you may select to complete that field. To view a complete list of NAICS codes please visit Statistic Canada's website at: <https://www150.statcan.gc.ca/n1/en/catalogue/12-501-X>.

If you are filing in paper, please refer to the list of activities from NAICS (the above link) that best describes the primary activity and then indicate your primary activity code from the link in the form.

### **Exclusivity of Business Name**

The BNA does not protect the exclusivity of a registered name. You may be able to protect your business name by registering a trademark under the Trademarks Act (federal legislation).

The BNA does not prohibit registration of identical names, but if you decide to use a name that is the same as or confusingly similar to that of an existing business, it could result in a lawsuit. The person registering the name also assumes full responsibility for any risk of confusion with an existing corporation, business name or trademark. You may also wish to do some research to see if incorporating is a better alternative for your business. Identical corporation names cannot be incorporated in Ontario with limited exceptions. If you incorporate and carry on business under the corporate name set out in the Articles of Incorporation, there is no requirement to register under the BNA. However, if the corporation is operating with a name that is different from its corporate name, the operating name must be registered under the BNA.

The registrant of a business name who has suffered damages because someone else has registered the same name or one that is deceptively similar can take legal action through the courts. The BNA entitles you to recover compensation for damages suffered and provides for a court order cancelling the registration that was the cause of the action (section 6 of the BNA).

### **Limited Liability Partnerships and Extra-Provincial Limited Liability Partnerships**

A limited liability partnership may carry on business in Ontario only for the purpose of practising a profession governed by an Act, and only in accordance with the provisions of section 44.2 of the Partnerships Act. The firm name of an Ontario limited liability partnership must contain the words “limited liability partnership” or “société à responsabilité limitée” or the abbreviations “LLP”, “L.L.P.” or “s.r.l.” as the last words or letters of the firm name. The firm name of an extra-provincial limited liability partnership must include the words or abbreviations, if any, that identify the partnership as a limited liability partnership that are required by the laws of the jurisdiction under which the partnership is governed. Ontario and extra-provincial limited liability partnerships are not permitted to carry on business in Ontario unless they have registered their firm name under the BNA, and are not permitted to carry on business in Ontario under a name other than its registered firm name. Please see sections 44.1 to 44.4 of the Partnerships Act, and sections 13 and 15-17 of the General Regulation under the BNA for more information.

### **Designated partner**

A partner who approves the filing of a partnership firm name registration, or an amendment, renewal or cancellation of a firm name registration on behalf of a partnership shall be known as a designated partner if more than 10 persons are associated in the partnership, and either the partnership has a principal place of business in Ontario or the partner has an address for service in Ontario (section 16 of the General Regulation under the BNA).

A designated partner may omit the information required under the regulation in respect of partners other than the designated partner if the requirements of subsections 16 (3) to (8) of the General Regulation are met. These subsections require the designated

partner to maintain specified partnership records at the partnership's principal place of business in Ontario, or, if the partnership does not have a principal place of business in Ontario, at the designated partner's address for service in Ontario. Upon request and without charge, any partner shall permit a person to inspect the records during the normal business hours of the partnership or, if applicable, of the designated partner's address for service in Ontario and to make copies or take extracts from them. See section 16 of the General Regulation for more information.

### **Extra-Provincial Limited Liability Companies**

An extra-provincial limited liability company is not permitted to carry on business in Ontario unless it has registered its company name under the BNA, and is not permitted to carry on business in Ontario under a name other than its registered company name. There is a limited exception under subsection 2.1 (3.1) if the name is set out in a partnership registration under the BNA or a declaration under the LPA.

### **Certain Amended Registrations Not Required**

In some cases, the Registrar may issue an amended registration showing a change if that change was previously made in accordance with the BNA or another Act and recorded in the Ministry records. In that case, the registrant is not required to file an amended registration. See section 4.1 of the BNA for more information.

### **Changes that Require a New Registration**

If the registrant is changing the following information, a new registration must be filed instead of an amended registration:

- Business name
- All the partners in a partnership
- Type of registrant (for example, changing a sole proprietorship to partnership)

### **Amending Administrative Information**

If the registrant's official email address has changed, you must notify the Ministry of this change in administrative information by using the amended registration filing option, although this is not considered an amended registration for the purposes of the BNA. Administrative information is collected under the authority of the Business Regulation Reform Act, 1994.

### **Single Name**

If your legal name is a single name (where your culture has a tradition of single names) and you need to enter that single name on a form, please call ServiceOntario at 416-314-8880 or toll-free at 1-800-361-3223 for more information.

## Legal Advice

Please be advised that the Ministry **cannot** give legal advice. For further assistance or legal information, please consult private legal counsel.

If you need a lawyer, you may wish to contact the Law Society Referral Service (LSRS). The LSRS is a program of the Law Society of Ontario which offers up to one half-hour of free legal consultation. Information about how to be referred to a lawyer through the LSRS is available at [www.lsrso.info](http://www.lsrso.info). If you would like to be referred to a lawyer, you may submit a request to the LSRS by completing the online request form at [www.lawsocietyreferralservice.ca](http://www.lawsocietyreferralservice.ca). Please refer to the BNA for details governing business names in Ontario. The BNA is available at [www.ontario.ca/laws](http://www.ontario.ca/laws).

## 7. Register, Renew, Amend or Cancel by Mail

### Initial Registration by Mail

To register by mail, go online and download the [approved form](#). You will be required to provide the email addresses noted below.

You must complete the approved form on a computer, print it and mail it to the Ministry at the address below with your payment. You will need:

1. **Completed application in the approved form**
2. **Business, firm or company name to be registered**
3. **Administrative Information** (not shown on public record):
  - Contact information: name, email address, telephone number
  - An official email address for the business
4. **Company key**, if applicable
5. **Address of the principal place of business** If there is a place of business in Ontario, you must provide the address of the principal place of business in Ontario. If there is no place of business in Ontario, you must provide the address of the principal place of business outside Ontario
6. **A NAICS business activity code** (see above – NAICS Code)
7. **Registrant information** (not required for a business name registration for a corporation or a partnership where registrant information is already on record)
  - **Sole proprietorship (business name):**
    - full name of the individual
    - address for service of the individual
  - **General partnership, Ontario limited liability partnership and extra-provincial limited liability partnership (only required when registering the firm name):**
    - the number of partners
    - the full name and address for service of the partner if the partner is an individual or an entity other than a corporation or a partnership

- if the partner is a corporation, the corporate name and Ontario Corporation Number (OCN) is also required; you must acknowledge that the registered or head office address of the corporation shown on the records maintained by the Ministry will form part of the registration
  - if the partner is a partnership that has been assigned a BIN, the BIN and the firm name are also required; you must acknowledge that the address of the principal place of business of the partnership shown in the records maintained by the Ministry will form part of the registration
  - if the registrant is an extra-provincial limited liability partnership, the governing jurisdiction is also required
  - **Extra-provincial limited liability company (company name):**
    - the governing jurisdiction
8. **Person authorizing the registration** (see above – Person Authorizing Registration)
  9. **Fee** Make cheque payable to the Minister of Finance. There will be a service charge payable for any cheques returned as non-negotiable by a bank or financial institution

### **Renew, Amend or Cancel a Registration by Mail**

To amend, renew or cancel a registration by mail, go online and download the [approved form](#). You will be required to provide the email addresses noted below. You must complete the approved form on a computer, print it and mail it to the Ministry at the address below with your payment. You will need:

1. **Completed application in the approved form**
2. **The registered business, firm or company name to which the filing relates and BIN**
3. **Company key**
4. **Administrative information** (not shown on public record):
  - Contact information: name, email address, telephone number
  - An official email address for the business
5. **Registrant information** (not required for an extra-provincial limited liability company or an Ontario or extra-provincial limited liability partnership where registrant information is already on record)
  - **Sole proprietorship (business name):**
    - Full name of the individual
  - **General partnership or limited partnership (only required if renewing, amending or cancelling a business name):**
    - Firm name and BIN assigned to the firm name
  - **Corporation:**
    - Corporate name and OCN
6. **An indication whether the form is for a renewal, amendment or cancellation of a registration**

7. **If filing an amendment, any changes to the information set out in the registration**
8. **Person authorizing the registration** (see above – Person Authorizing Registration)
9. **If filing a renewal, renewal fee** Make cheque payable to the Minister of Finance. There will be a service charge payable for any cheques returned as non-negotiable by a bank or financial institution

### **Important – Additional Required Documents and Information**

You may also need to obtain consent(s) to a name if required under the BNA and regulations.

Note: Registrants (corporations and other persons) must retain the above consents in accordance with section 21 of the General Regulation under the BNA at the principal place of business, designated partner's address for service in Ontario or registered or head office in Ontario, as applicable. If required by written notice from the Registrar, the registrant must file the consents in accordance with the notice under section 21.

### **Mailing Address**

Ministry of Government and Consumer Services  
Central Production and Verification Services Branch  
393 University Avenue, Suite 200  
Toronto, ON M5G 2M2

When registration is completed, you will receive your documents by email (for an initial registration, see above – Documents Issued by the Ministry; for an amendment, renewal or cancellation of a registration, see above – Renew, Amend or Cancel a Registration, Documents Issued by the Ministry).

### **Returned Applications**

If your application is handwritten, missing the company key (where applicable), required payment (where applicable) or email address, or if the wrong form is used, it will not be processed and will be returned to you by regular mail. Forms must be on 8.5" x 11" letter size paper.

If the form is missing any other required information or has not been properly completed, Ministry processing of the application will cease, and it will be returned for correction electronically to the email address provided on the form. A link will be provided to the electronic business registration system, where you must complete the transaction electronically. It is your responsibility to review the entire application, ensure that all data that may have been entered by Ministry staff based on the original paper application is accurate and meets the requirements of the BNA and regulations. This will be considered a new application filed in an electronic format.

The effective date of returned applications that are resubmitted to the Ministry will be the date they are processed by the Ministry in accordance with the requirements for filing under the BNA, the regulations and the Registrar's requirements. If you have questions, please contact ServiceOntario at 416-314-8880 or toll-free at 1-800-361-3223.

## **8. Related Legislation**

Business Names Act

Note: This Notice is subject to change or revocation by further Notice. This Notice is made pursuant to the BNA and regulations. Requirements of the Registrar are established pursuant to sections 10.2 and 10.4 of the BNA.

Approved:  
Registrar, BNA

Notice – BNA 29-001