

New National Business Registration System

What you need to know



A new national business name registration system is proposed to commence in April 2011. From this date, the States' responsibility for the registration and administration of business names will be conferred to ASIC.

What will this mean for you?

1. If you already have a registered business name.
 - a. Business names currently registered under a State system will be automatically rolled over into the new national system.
 - b. If identical business names are registered by different owners in different jurisdictions, these business names will include a geographical suffix on the national registry. For example, Sam's Bakery (NSW) and Sam's Bakery (QLD) will indicate different business owners in the specified State. These suffixes will not be added to the actual business name itself.
 - c. The public will have access to your contact details via a free online search, or a full search may be conducted for a fee.
2. If you want to register a business name.
 - a. You must have an ABN. An ABN may be applied for at the same time as your business name application is lodged.
 - b. Identical or nearly identical business names already on the national register, or names that are misleading or offensive will not be permitted.
 - c. Costs for business name registration will be reduced in most States.

3. Trade marks and business names.

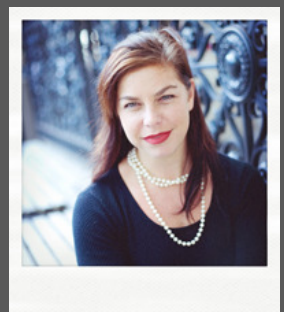
The registration of a business name does not entitle you to proprietary rights over that name. You must be the registered trade mark owner of that name to have such protection. This means that a registered trade mark owner may sue you for trade mark infringement if you have used their registered trade mark as a business name without consent.

Questions? Give us a call.



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