

BUSINESS NAME REGISTRATION

INCLUDING A GUIDE TO ONLINE FILING
INFORMATION LEAFLET NO.14 / APRIL 2019

1. INTRODUCTION

1.1 CRO

The CRO is the central repository of public statutory information on Irish companies. It operates under the aegis of the Department of Business, Enterprise and Innovation. Postal Enquiries can be directed to: Companies Registration Office, O'Brien Road, Carlow, County Carlow.

The CRO's main functions are:

- Incorporation of companies
- Registration of business names
- Registration of company post-incorporation documentation
- Registration of changes in business name particulars
- Enforcement, prosecution and striking companies off the Register
- Provision of information to the public

1.2 Opening hours

The CRO is open to the public every working day from 9.30am until 4.30pm. The Public Office is based in Bloom House, Gloucester Place Lower, Dublin 1. The Office's Information Unit may be contacted during normal working hours at 01 804 5200. Clients are also invited to contact the Office by e-mail at info@cro.ie. Queries regarding business names can be addressed to rbn@dbei.gov.ie

1.3 Methods of access to information on companies/business names

1.3.1

Certain vital information, such as a business name, may be checked free of charge on the CRO web search facility at www.cro.ie. Further information is available to CRO deposit account holders. This search facility provides round the clock access to registered business names and company information. It is identical to that available in the CRO public office and results are instantly displayed. For further information regarding on-line services, visit www.cro.ie, e-mail electronic.filing@dbei.gov.ie For further information on opening a deposit account, e-mail info@cro.ie or telephone CRO Accounts Section.

1.3.2

The CRO publishes a regular electronic bulletin giving up to date information on the Office's procedures, practices and services. There is no charge for the bulletin. Instructions on subscribing to the free service are available from www.cro.ie.

1.3.3

All statutory information supplied by the proprietors of business names is kept on files by the CRO; in paper format in the case of business names registered prior to 5 April 1998, and in electronic format for business names registered since that date.

1.3.4

Scanned images of documents may be ordered over the internet, by post or at the Office. Where the documents have not been scanned files in paper format may be inspected during opening hours and may not be removed from the Office. Photocopying facilities are available in the Office.

1.4

This booklet is a guide to the rules of the Registration of Business Names Act 1963. It is not a complete statement of the law. Any business names shown in this booklet for the sake of example are fictitious. While this leaflet gives the appropriate fees at the time of publication, the level of fees may vary. Details of the current fees are always available from the Office or on www.cro.ie.

All forms (and associated filing fees) and information leaflets referred to in this publication can be downloaded from www.cro.ie.

2. BUSINESS NAMES

2.1 What is a business name?

It is a name used to carry on business by any individual, body corporate or partnership (whether of individuals and/or bodies corporate), which has a place of business in the Republic of Ireland, and which name is not the same as their own true name(s).

2.2 Who does the Registration of Business Names Act 1963 apply to?

It applies to:

- an individual who trades under a name which is not his/her true surname. It makes no difference whether the individual's first names or initials are added. So the Act would apply to Mr. John Murphy if he traded as "Murphy Builders" but not if he traded as "Murphy" or "John Murphy"
- a partnership which does not trade under the true names of all partners who are individuals and/or the full corporate name of all partners which are bodies corporate
- a company which trades under a name which is not its full corporate name, for example "Murphy Construction Limited" trading as "Murphy Builders"
- a person who, having a place of business in the State, carries on the business of publishing a newspaper

The applicant must have a place of business in the State and carry on business under a business name.

2.3 What are the registration requirements?

An application for registration must be submitted to the CRO within one month of the date of adoption of the business name.

The forms for registration are:

RBN1	for an individual
RBN1A	for a partnership
RBN1B	for a body corporate

Applications can be filed electronically at www.core.ie.

You should note that registration of a business name

- does not give protection against duplication of the name
- does not imply that the name will necessarily prove acceptable subsequently as a company name
- does not authorise the use of the name if its use could be prohibited for other reasons. It should not for instance be taken as an indication that no rights (e.g. trade mark rights) exist in the name

2.3.1 What checks should I make before applying to register a business name?

The CRO does not check proposed business names against names on the registers of companies, business names or trade marks. You are, therefore, advised to investigate the possibility of others having rights in the name you propose to use before incurring expenditure in stationery, etc. Applicants are advised to check those registers to ensure the proposed business name does not conflict with a company name or trade mark since any person claiming to have a right to that name could take an infringement action or a passing off action to defend his/her interest.

You can check the register of companies and register of business names free of charge at www.cro.ie. The search facility provides round the clock access to company/business information. It is identical to that available in the CRO public office and the results are instantly displayed.

Alternatively, you can visit the CRO public office.

You can undertake a search of the trade mark register at:

Intellectual Property Office of Ireland

Government Buildings
Hebron Road
Kilkenny

Tel: 056 772 0111/Local 1890 220 223
Fax: 056 772 0100/Local 1890 220 120
E-mail: patlib@patentsoffice.ie
Web: www.patentsoffice.ie

2.3.2 Do I need business permission?

If you are a non-EEA national (the European Economic Area is comprised of the Member States of the EU plus Iceland, Liechtenstein and Norway) who intends to come to Ireland to establish a business, you will require the permission of the Minister for Justice and Equality to do so.

When applying to register a business name, a copy of the Certificate of Registration Card or Green Card/Green Book (front and back), must be filed along with the registration form.

2.3.3 How much does the CRO charge to register a business name?

The CRO registration fee is currently €40 for paper applications and €20 for electronic applications filed at www.core.ie. Applications can be paid for online with chip & pin enabled credit/debit cards.

2.4 What do I receive from the CRO following registration of a business name?

The Registrar issues a Certificate of Registration for each business name registered to the email supplied on the application form.

2.4.1 Must the certificate be displayed in a particular way?

The original certificate of registration must be exhibited in a conspicuous position:

- in the case of a firm or individual, at the principal place of business, with an official duplicate certificate so exhibited in every branch office or place where the business is normally carried on
- in the case of a body corporate, at its registered office in the State with an official duplicate certificate so exhibited in every branch office or place where the business is normally carried on

2.4.2 What information must be shown on documents on which the business name appears?

In all business letters, circulars and catalogues on or in which the business name appears, and which are sent by the owner of the business name to any person, the following must be legibly stated in relation to the owner:

- in the case of an individual, his/her present name, any former names, and his/her nationality, if not Irish
- in the case of a firm, the present name and any former names, and the nationality, if not Irish, of all the partners in the firm, or in the case of a body corporate being a partner, the corporate name
- in the case of a body corporate (other than a company registered under the Companies Acts), the full name of the company (note that the only permitted abbreviation is "Ltd" for Limited, "PLC" for "Public Limited Company" etc.), the names and any former names of the directors, and their nationality, if not Irish

All Irish-registered companies are required to mention the name of the company in legible characters in all business letters of the company and in all notices and other official publications of the company, and in all bills of exchange, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed by or on behalf of the company and in all invoices, receipts and letters of credit of the company.

The following additional particulars are required to be displayed by an Irish-registered limited company on its business letters and order forms:

- the legal form of the company
- place of registration e.g. registered in Dublin, Ireland
- registered number i.e. number of Certificate of Incorporation
- address of the registered office (where this is already shown on the document, the fact that it is the registered office must be indicated)
- if the share capital of a company is mentioned in the business letter and order forms, the reference must be to the paid-up share capital

2.5 What do I do if changes occur to the particulars I have registered?

A change in any of the particulars of a registered business name (e.g. change of business name or business address) should be notified to the Registrar within one month of the date of the change. The forms for notifying changes are:

RBN2	for an individual
RBN2A	for a partnership
RBN2B	for a body corporate

2.5.1 How much does the CRO charge to change the registered particulars?

The CRO fee is currently €15. However change of address details can be filed electronically for free at www.core.ie

2.6 What do I do when the business under a business name ceases?

When an individual, partnership or body corporate ceases to carry on business under a business name, a Form RBN3 should be filed with the CRO within three months after the business has ceased.

The form should be signed as follows:

<i>Individual</i>	By the individual. In the event of the death of an individual by the personal representative of the deceased.
<i>Partnership</i>	By all persons who were partners of the firms when it ceased to carry on business.
<i>Body corporate</i>	By a director or liquidator.

A fee does not apply to Form RBN3.

2.7 How can I obtain a duplicate certificate of registration of a business name?

You can now retrieve a free duplicate certificate from www.cro.ie. This certificate is valid solely for public service use, for example for submission to the Revenue Commissioners. Once requested, the duplicate certificate is instantly e-mailed to you.

Alternatively, a certified copy of the certificate can be ordered from the CRO in the following ways:

- by post with cheque for the appropriate fee
- by calling to the CRO's public office following an email request to postalenquiries@dbei.gov.ie made at least 24 hours earlier and paying the appropriate fee

The cost of a certified copy is €12.

2.8 What can I do to avoid delays in registering a document with the CRO?

It is essential you submit the correct form and that you accurately complete it. Take the time to read the guidance notes that accompany each form. Erroneously completed forms are returned for correction, resulting in a delay in registration. Some types of business may not be conducive to being operated from a residential address. A brief note outlining how the home address is appropriate for the business activity must be filed with the RBN signature page/form. If the note is not attached to the RBN form, the application will be returned to the presenter for rectification.

3. REGISTERING YOUR BUSINESS NAME ONLINE - Sole Trader

Step 1 - System requirements

To file online you will need the following:

- A working email account.
- Adobe Reader 9, or later versions, on your computer (Free from www.adobe.com).
- A printer to print the signature page.
- If you have anti-virus software on your computer, enable PopUps in order to view the signature page.

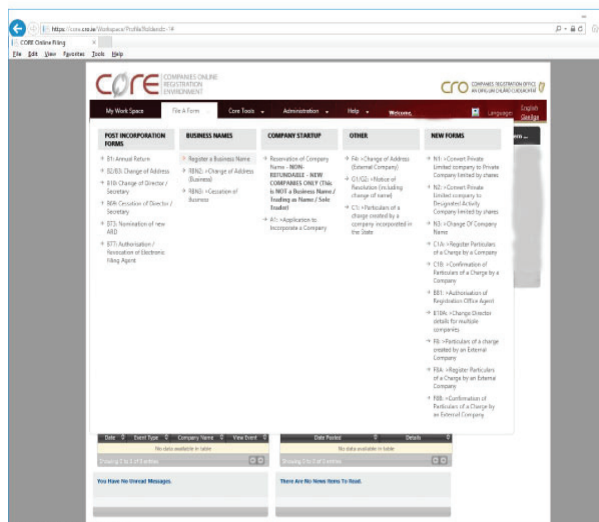
Step 2 - Registration

To file online you first need to register with CORE. This is a simple process.

- Log onto www.core.ie.
- On the right hand side of the web page, click on CORE REGISTRATION FORM and follow the instructions on screen. If you have already registered for online filing, you can use your existing username and password.

Step 3 - Completing the form

- Click on “File a Form” and select “Register a Business Name” and then select - Individual” listed under the business names tab
- Follow the instructions, making sure you read all pop-up messages carefully. To further assist you, the “Help” button, will open up a page of instructions.



Step 4 - Enter the business name details

1. Give the business name you intend to trade under.
2. Then click Find to search for the NACE classification for your business.

The screenshot shows the 'Details Of The Notification' form in the CORE Online Filing system. The form is divided into several sections: 'Effective Date' (24/08/2016), 'Business Name Details' (Proposed Business Name, NACE Code, Email Address), 'Address Details' (Address One, Address Two, Address Three, Address Four, Status, Eircode), and 'Other Business Name(s) Under Which This Business is Conducted:'. A 'Find' button is next to the NACE Code field, and a 'Find Address' button is next to the Address One field. The form also includes 'Save' and 'Next' buttons at the bottom right.

3. Enter in the **email address** to which the digital certificate of registration will issue. (can be different to the presenter details address).

4. Enter the address details. *The place of business address must be in the Republic of Ireland.*

Enter at least the first 2 lines of the address and click Validate address. The address will be validated against An Post's geo directory.

The screenshot shows the 'Find Your New Address' dialog box in the CORE Online Filing system. The dialog box prompts the user to 'Enter your address below and click the 'Find Address' button. It includes fields for Address 1, Address 2, Address 3, Address 4, and Eircode. A 'Find Address' button is located next to the Address 1 field. Below the address fields are 'Submit', 'Not Listed', and 'Close' buttons. A yellow tooltip message says 'Validate Your Address Against An-Post's Geo Directory'.

Step 5 - Enter the details of the person who owns the business name.

Enter the individual details of the business name owner. If you are a non EU National you will need to enter your Garda National Immigration Bureau Number. When ready click Next.

The screenshot shows the 'RBN1 Form - Registration of a Business Name' in the CORE system. The 'Individual' tab is active, displaying fields for 'Entity Type', 'Individual Details' (including Surname, Forename, Other Forename, Occupation, Date of Birth, Nationality, and Garda National Immigration Bureau Number), and 'Individual Address' (including Address One, Address Two, Address Three, Address Four, Status, and Eircode). Navigation buttons 'Back', 'Save', and 'Next' are visible at the top right.

Step 6 - Presenter Details

The details of the Presenter will be pre-filled with the details that were entered on registration with CORE. This is the address to which the Business Name Certificate will be sent. Click Next.

You will be presented with a Total View of the details you have entered for review. From this screen click on Check Form to ensure all the necessary information has been entered. If any required information has been omitted, you are now prompted to enter the missing details. When ready, click Submit Form.

The screenshot shows the 'RBN1 Form - Registration of a Business Name' in the CORE system. The 'Presenter Details' tab is active, displaying fields for 'Reference', 'Name', 'Care Of', 'Fax Number', 'Entity Type' (pre-filled as 'EEA Resident Individual'), 'Email', and 'Phone Number'. It also includes fields for 'Presenter Address' (Address 1, Address 2, Address 3, Address 4). Navigation buttons 'Back', 'Save', and 'Next' are visible at the bottom right.

Step 7 - Print & sign signature page

Once the Submit button is clicked,

- a signature page will be generated, which you will have to print and sign.
- the signature page should be sent to the CRO for registration along with any other necessary documentation.
- a filing fee of €20 is required. (this is cheaper than completing a paper application, which costs €40 to file as it involves a longer registration process)
- the registration page and the document are available in your workspace for future reference.
- if the document is returned to you for any reason, you will be able to edit it in your workspace by clicking on the edit & resubmit icon. You will need to generate a new signature page if you make changes to the form.
- the document is only deemed legally received in the CRO when the signature page and fee are received.

Presenter:
john smith
14 made up place name
made up street
post address
county name



RBN Submission id: 5052101
Business Name to be Registered: test name example

Send To:
Companies Registration Office
Parnell House
14 Parnell Square
Dublin 1

Signature Page

RBN1 - Registration of Business Name

Signature of the person(s) who is (are) certifying that the information provided is correct.

Signature as Business Name Owner: john smith

Signature _____

Date _____

Legal references:

Collective Citation:
Registration of Business Names Act, 1963

Attachments: Nil

Please ensure that the appropriate €20 fee accompanies this document.



Ref.: A6B4 3C33 A942 8587 9230 A9A4 E8B3 276D



Page 1 of 1

For help with filing online - Contact - Electronic Filing Section in the Companies Registration Office.
Email: electronic.filing@dbei.gov.ie or phone (01) 804 5374/5355.

AN OIFIG UM CHLÁRÚ CUIDEACHTAÍ
Oifig Poiblí: Teach Bloom Plás Gloucester íochtarach, BÁC 1
Fiosruithe: Bóthar Uí Bhriain, Ceatharlach, R93 E920

Lóghlao: 1890 220 226
Fón: +353 1 804 5200
Ríomhphost: info@cro.ie **Láithreán:** www.cro.ie

COMPANIES REGISTRATION OFFICE
Public Office: Bloom House, Gloucester Place Lower, Dublin 1
Postal Enquiries: O'Brien Road, Carlow, R93 E920

Lo Call: 1890 220 226
Tel: +353 1 804 5200
Email: info@cro.ie **Web:** www.cro.ie