

TITLE 100 – DEPARTMENT OF STATE

CHAPTER 30 – BUSINESS SERVICES

SUBCHAPTER 00 – N/A

PART 5 – RENEWAL & CANCELLATION OF TRADE NAMES

5.1 Authority and Purpose

- A. This Part is promulgated pursuant to the authority set forth in R.I. Gen. Laws § 6-1-7 for the purpose of establishing the procedure by which a filer may renew, cancel, or restore a registered Trade Name.

5.2 Definitions

- A. For the purposes of this Part, the following words shall have the following meanings:
1. "Active" means a registered Trade Name in Good Standing that has not been Involuntarily Cancelled, Voluntarily Cancelled (Withdrawn) by filing a Notice of Withdrawal, or Converted to an entity structure named in R.I. Gen. Laws Title 7 (Corporations, Associations, and Partnerships) or filed under the same title as a Fictitious Business Name.
 2. "Filer" means an individual, whether acting on their own behalf or as an authorized representative of a Business, who submits a Trade Name filing to the RI Department of State.
 3. "Department" means the Rhode Island Department of State.
 4. "Post office address" means the designated location for receiving mail and packages as delivered by the United States Postal Service (USPS) or other commercial carriers.
 5. "Primary contact" means the owner of a Trade Name that has been designated to receive notices from the Department in the event the business address of record for the Trade Name is deemed undeliverable.
 6. "Renewal" means the annually required Trade Name renewal filing pursuant to R.I. Gen. Laws § 6-1-7.
 7. "Delivered" means a filing was submitted to the Department for processing by electronic or physical means.

8. The definitions contained in R.I. Gen. Laws § 6-1-1.1 are incorporated by reference for purposes of these Regulations.

5.3 Renewal Requirements

- A. Each active registered Trade Name shall deliver a Renewal to the Department between September 1 - November 30 of each year, except that the first Renewal for a Trade Name must be filed between September 1 - November 30 of the year following the calendar year in which it first registered the Trade Name as evidenced by the date of registration of record with the Department.
- B. The Renewal must be delivered to the Department on a form prescribed by the Department.
- C. The information provided in the Renewal must be given as of the date of the execution of the Renewal and shall include the following information and any other information as may be required by the Department:
 1. The Trade Name;
 2. The municipality in which the Trade Name is registered to conduct business;
 3. The true or real full name or names, both first name and surname of the person or persons conducting or transacting the business;
 4. The post office address of each owner, which address must contain all elements required by the USPS to permit successful delivery;
 5. The designation of one primary contact for the Trade name;
 6. The principal post office address of the Trade Name, which address must contain all elements required by the USPS to permit successful delivery;
 7. The email address associated with the Trade Name; and
 8. The North American Industry Classification System (NAICS) code that best represents the business activity conducted under the Trade Name.
- D. Whenever a change occurs to any of the registration details outlined in R.I. Gen. Laws § 6-1-5, a Filer shall record a Notice of Change (Amendment) with the Department.
- E. A Renewal or Amendment may not be filed to:
 1. Substantively change the Trade Name;

2. Change the municipality in which business is conducted under the registered Trade Name, or
3. Change the full ownership information of record with the Department.

5.3.1 Renewal of Transferred Trade Names

- A. All active Trade Names transferred to the Department pursuant to R.I. Gen. Laws § 6-1-9 must deliver a Renewal to the Department between September 1 - November 30, 2026.
- B. Notice of the required Renewal will be mailed to active transferred entities with a date of registration no earlier than January 1, 2000.
- C. The Department will cause to be mailed a notice of the required Renewal to the business address of record, when such business address is a valid deliverable postal address.
- D. If an active transferred Trade Name registered on January 1, 2000, or later does not include a valid deliverable business postal address, the Department will cause to be mailed a notice of the required Renewal to the valid deliverable postal address of the first owner of record.
- E. If an active transferred Trade Name registered on January 1, 2000, or later does not include any valid deliverable postal address, the Department will not cause to be mailed a notice of the required Renewal.
- F. Trade Names which were transferred pursuant to R.I. Gen. Laws § 6-1-9 but which do not meet the standards for a Trade Name pursuant to R.I. Gen. Laws § 6-1-1 and Part 4 of this Subchapter are ineligible for Renewal.

5.4 Involuntary Cancellation

- A. Any active Trade Name which has failed or refused to file a required Renewal, has made a misrepresentation of any material matter on any filing, or has failed to pay required fees to the Department when they have become due and payable, will be subject to involuntary cancellation by the Department.
- B. The Department will provide notice, electronically or by mail pursuant to R.I. Gen. Laws § 6-1-7, that the Trade Name will be involuntarily cancelled by the Department after sixty (60) days if the Trade Name does not cure its noncompliance.
- C. The Department may also cancel a Trade Name upon request of the person to whom the Trade Name is registered. A Notice of Cancellation (Withdrawal) shall be filed with the Department when use of a Trade Name is discontinued or abandoned.

- D. The Department may remove any canceled Trade Names from its database of Trade Names.

5.5 Restoration of an Involuntarily Cancelled Record

- A. A Trade Name which has been involuntarily cancelled may be returned to Active status if:
 - 1. A Filer delivers a Restoration Statement to the Department on a form provided by the Department with all required information and fees paid as set forth in R.I. Gen. Laws § 6-1-8; and
 - 2. The Trade Name is distinguishable upon the record from the name of any Trade Name on file within the municipality where the business is located or otherwise complies with the requirements of R.I. Gen. Laws Chapter 6-1 *et. seq.*

5.6 Filing Fees and Charges

- A. The Department may impose and collect fees and charges under R.I. Gen. Laws Chapter 6-1 *et. seq.* and as may be established by the Department from time to time for any filings or certificates pursuant to these Regulations and statutes.

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Agency Signature

Agency Head Signature

Agency Signing Date

Department of State

Regulation Effective Date

Department of State Initials

Department of State Date