

# State of Maine

CERTIFICATE OF SOLE PROPRIETOR ADOPTING NAME OTHER THAN HIS OWN  
(Title 31, M.R.S.A., Sec. 2)

The undersigned hereby certifies that (s)he intends to engage in the

\_\_\_\_\_

(type of business)

business, as sole proprietor thereof, and to adopt the name, style, or designation of

\_\_\_\_\_

(name of business)

\_\_\_\_\_

Printed name of Proprietor

\_\_\_\_\_

Proprietor's home mailing address

\_\_\_\_\_

Home or cell phone number

\_\_\_\_\_

Business website

\_\_\_\_\_

Email address

\_\_\_\_\_

Business location (street address)  
in Windham

\_\_\_\_\_

Signature of Proprietor

(signature MUST be witnessed by a Notary Public or Attorney)

STATE OF MAINE

Cumberland County, SS. \_\_\_\_\_ A.D. 20 \_\_\_\_\_

Then \_\_\_\_\_ personally appeared and made  
oath to the foregoing certificate that the same is true.

Before me,

\_\_\_\_\_

Notary Public or Attorney

(My commission expires \_\_\_\_\_)

Note: This certificate shall be deposited in the Town of Windham, Office of the Clerk.  
The Town Clerk's Office is entitled to a fee of \$10.00 for recording this certificate.

Town of Windham; Office of the Town Clerk  
8 School Street; Windham, ME 04062  
(207)892-1900

Title 31: PARTNERSHIPS AND ASSOCIATIONS  
Chapter 1: MERCANTILE PARTNERSHIPS AND ASSUMED BUSINESS NAMES

Section 1: Filing of certificate; certificate of withdrawal

Whenever 2 or more persons become associated as partners or otherwise for the purpose of engaging in any mercantile enterprise, they shall, before commencing business, deposit in the office of the clerk of the city or town in which the same is to be carried on a certificate signed and sworn to by them, setting forth their names and places of residence, the nature of the business in which they intend to engage and giving the name under which they are to transact business. Whenever any member of such partnership or association withdraws therefrom, he may certify under oath to the fact of such withdrawal, which certificate shall be deposited in the clerk's office where the partnership certificate is recorded. He shall conclusively be presumed to be a member of the firm or association to the time of his depositing such certificate.

Section 2: Business under assumed name; filing of certificate

Whenever any person intends to engage in such business as sole proprietor thereof, and to adopt any business name, style or designation other than his own name exclusively, he shall, before commencing business, deposit in the office of the clerk of the city or town in which such business is to be carried on a certificate signed and sworn to by him, setting forth his name and place of residence, the name, style or designation under which the business is to be conducted, and stating that he is the sole proprietor.

Section 3: Statements as conclusive; perjury

A person signing and making oath to any certificate deposited as provided by sections 1 and 2 shall not be permitted in any judicial proceeding to contradict the statements contained in such certificate. Whoever swears or affirms to any such certificate which is not true in fact shall be deemed guilty of perjury.

Section 4: Records

The clerks of the several cities and towns shall record in suitable books, kept exclusively for the purpose, the certificates deposited under sections 1 and 2, and such books shall be open to public inspection.

Section 5: Failure to file; penalty

Whoever fails to deposit seasonably the certificate required by sections 1 and 2 shall be punished by a fine of \$5 for each day he is in default.

Section 6: Prohibition of certain names

No person or persons, partnership or other entity engaged in any business, except a corporation, may adopt a name for such business that contains the words "corporation," "incorporated" or "limited," or any abbreviation of any such words. A limited partnership may use the term "limited partnership" as part of its name, a limited liability company may use the term "limited liability company" as part of its name and a limited liability partnership may use the term "limited liability partnership" as part of its name.

Section 6-A: Use of "Passamaquoddy" prohibited

A person or persons, partnership, corporation or other entity engaged in any business or activities may not adopt a name that contains the word "Passamaquoddy" or use the word "Passamaquoddy" in connection with goods manufactured or sold or services provided after December 31, 1993 without written authorization from the Passamaquoddy Tribe.

Section 7: Inapplicable to corporations, limited partnerships or limited liability companies

Sections 1 and 2 do not apply to corporations, limited partnerships or limited liability companies. A corporation desiring to do business under an assumed name shall file a statement as provided in Title 13-C, section 404. A limited partnership desiring to do business under an assumed name shall file a statement as provided in section 1308, subsection 2. A limited liability company desiring to do business under an assumed name shall file a statement as provided in section 1510.