

Department Administrative Order No. 18 - 07  
Series of 2018

**SUBJECT: REVISED RULES AND REGULATIONS IMPLEMENTING ACT NO. 3883 AS AMENDED, OTHERWISE KNOWN AS AN ACT TO REGULATE THE USE IN BUSINESS TRANSACTIONS OF NAMES OTHER THAN TRUE NAMES**

**WHEREAS**, under Section 20, Article II of the 1987 Constitution of the Republic of the Philippines (henceforth referred to as the 1987 Constitution), "The State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments";

**WHEREAS**, Article XII, Section 6 of the 1987 Constitution further provides that, "The use of property bears a social function, and all economic agents shall contribute to the common good. Individuals and private groups, including corporations, cooperatives, and similar collective organizations, shall have the right to own, establish, and operate economic enterprises, subject to the duty of the State to promote distributive justice and to intervene when the common good so demands";

**WHEREAS**, on November 14, 1931, Act No. 3883 was issued to regulate the use in business transactions of names other than true names, wherein a person intending to engage in business is required to first register with then Director of Commerce (*now the Department of Trade and Industry, henceforth to be referred to as DTI*) a name, other than its true name, before such name is used in any business transactions;

**WHEREAS**, Act No. 3883, Executive Order No. 913 dated October 7, 1983, and Executive Order No. 292 dated July 25, 1987, otherwise known as the Administrative Code of 1987, empower the DTI Secretary to make such rules and regulations as may be deemed necessary for the implementation of laws relevant to its functions;

**WHEREAS**, several rules and regulations implementing Act 3883 have already been issued by DTI;

**WHEREAS**, based on Section 2, Article II of the 1987 Constitution, the Philippines adopts the generally accepted principles of international law which shall form part of the law of the land;

**WHEREAS**, the Republic of the Philippines has acceded to the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees and the 1954 United Nations Convention Relating to the Status of Stateless Persons, which obligate the Contracting States to accord to a refugee lawfully in their territory favorable treatment, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the right to engage on his own account in agriculture, industry, handicrafts and commerce and to establish commercial and industrial companies;

**WHEREAS**, Section 5 of Republic Act No. 7042 otherwise known as the Foreign Investments Act of 1991 as amended by Republic Act No. 8179 requires non-Philippine nationals who intend to establish sole proprietorships in the Philippines to register with the

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DTI in accordance with the Implementing Rules and Regulations of RA 7042 and other applicable rules and regulations;

**WHEREAS**, in view of recent developments, particularly the Ease of Doing Business and Efficient Delivery of Government Services Act of 2018 or Republic Act 11032, it is high time to establish a revised Implementing Rules and Regulations to keep it aligned with the said law, by consolidating the several DTI issuances relevant to Act No. 3883, and streamline the rules and regulations to implement the other aforementioned related legal mandates;

**WHEREFORE**, these Rules and Regulations are hereby issued for the guidance of those concerned.

## **RULE I GENERAL PROVISIONS**

**Section 1. Title** – These Rules shall be referred to as the Revised Implementing Rules and Regulations of 2018 of Act No. 3883.

**Section 2. Objective** – The objectives of these Rules are the following:

- 2.1 To regulate the use of business names by businesses in their transactions and thereby protect the public dealing with such businesses through the disclosure of the name and the real identity of the owner or person operating the business;
- 2.2 To provide streamlined requirements for processing BN applications and promote ease of doing business; and
- 2.3 To set guidelines in the disclosure of information, appearing in the records of this Department, subject to existing rules and regulations including all future amendments, modifications, or revisions set under the Data Privacy Act and the Freedom of Information Act.

**Section 3. Coverage** – These Rules shall apply to natural persons, Filipino or a non-Philippine national, a recognized refugee or a recognized stateless person as defined in Sections 4.3, 4.14, and 4.15 of Rule I, respectively.

**Section 4. Definition of Terms** – For purposes of these Rules, the term:

- 4.1 **Applicant** refers to a natural person, who may be a Filipino citizen, an authorized non-Philippine national, or a recognized refugee/stateless person.
- 4.2 **Application** refers to an application for Business Name Registration.
- 4.3 **Authorized non-Philippine National** refers to a foreign national who is authorized to transact business in the Philippines in accordance with the Foreign Investment Act of 1991, the Philippine immigration laws, and other related laws and their respective implementing rules and regulations.
- 4.4 **Authorized Personnel** refers to the person who is officially designated to perform stipulated duties related to business name registration.
- 4.5 **Business Name (BN)** refers to any name used or signed by an individual or natural person in connection with his/her business on any written or printed

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receipts, including receipts for business taxes, or on any written or printed contract not verified by a Notary Public, or on any written or printed evidence of business transaction, or any name used in connection with his/her business other than his/her true name, or keep conspicuously exhibited in plain view in or at the place where his/her business is concluded, if he/she is engaged in a business, any sign announcing a business name or style.

- 4.6 **BN Number (BNN)** refers to the series of numbers assigned to a registered BN.
- 4.7 **BN Certification** refers to the document being issued by the DTI to any request for certification of such BN in accordance with Rule XI of these Rules.
- 4.8 **BN Owner** refers to the individual who holds in his/her name a valid Certificate of BN Registration in accordance with these Rules.
- 4.9 **Certificate of BN Registration** refers to the document being issued to a business owner as proof of successful registration of his/her BN.
- 4.10 **DOJ-RSPPU** refers to the Department of Justice – Refugee and Stateless Person Protection Unit.
- 4.11 **DTI** refers to the Department of Trade and Industry.
- 4.12 **Natural Persons** refer to a Filipino or an authorized non-Philippine national as defined in Section 4.3. It shall also include recognized refugees and recognized stateless persons defined in Sections 4.14 and 4.15, respectively.
- 4.13 **New Application** refers to the application that is filed for the first time with DTI. Applications for BN registration filed beyond the grace period as defined in Section 3, Rule VII hereof shall be considered new application.
- 4.14 **Recognized Refugee** refers to a person who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence is unable or owing to such fear, is unwilling to return to it", and whose application for refugee status has been approved and issued a written recognition from the DOJ-RSPPU.
- 4.15 **Recognized Stateless Person** refers to one "who is not considered a national by any State under the operation of its law", and whose application for stateless status has been approved and is issued a written recognition from the DOJ-RSPPU.
- 4.16 **Renewal Application** refers to the application for renewal of BN Registration within the period prescribed herein.
- 4.17 **Territorial Scope** for a BN refers to the extent of geographical area within which the pertinent business may locate its offices, stores, shops, branches, manufacturing or processing plants, or other business structures, or where the pertinent BN may be used without prejudice to engaging in business elsewhere.

- 4.18 True Name** refers to a natural person's full name as appearing in his identification documents.

**RULE II  
REQUIREMENTS**

**Section 1. Qualification of the Applicant.** – Only those who meet any of the following requirements may apply for Business Name Registration:

- 1.1 Filipino citizen who is at least eighteen (18) years of age;
- 1.2 Non-Philippine national who has obtained a Certificate of Registration of Sole Proprietorship pursuant to RA 7042 and who is at least 18 years of age;  
Where the laws of the home country of the authorized non-Philippine national provides for the legal or contract age lower than 18 years, said authorized non-Philippine national shall submit proof thereof.
- 1.3 Refugee or stateless person, at least 18 years of age, who has been issued a written recognition from the DOJ-RSPPU, and whose recognition is not subject to cancellation, revocation or cessation, in accordance with applicable government rules and regulations.

**Section 2. Documents Required** – An application shall be acted upon the complete presentation/submitting of the following requirements:

2.1 For walk-in/over-the-counter applications:

- 2.1.1 Presentation of one (1) valid government-issued ID of the BN applicant as listed in Annex A of these Rules;
  - 2.1.2 Submission of one (1) duly accomplished DTI-prescribed application form (Annex B) signed by the applicant of the BN registration;
  - 2.1.3 Submission of Authorization Letter upon filing of the application if filed by a representative and presentation of the authorized representative's valid ID as listed in Annex A of these Rules;
- 2.2 Supporting documentary requirements for non-Philippine national, refugee/stateless person, as follows:

2.2.1 For Non-Philippine National:

- a. Submission of one (1) duly accomplished DTI-prescribed application form (Annex B) signed by the applicant of the BN registration;
- b. Submission of a clear certified copy of the Alien Certificate of Registration; and the Certificate of Registration for Sole Proprietorship/Certificate of Authority to engage in business in the Philippines issued by the concerned DTI Office per Republic Act No. 7042 (Foreign Investment Act) as amended by Republic Act No. 8179, Republic Act No. 8762 (Retail Trade Liberalization Law) or such other applicable laws, as the case may be.

For online applications, the applicant may submit the required documents through the web-enabled BN registration system and must be in accordance with Section 2.3, Rule II hereof.

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2.2.2 For Refugee/Stateless Person:

- a. Submission of one (1) duly accomplished DTI-prescribed application form (Annex B) signed by the applicant of the BN registration; and
- b. Submission of a clear certified copy of the Certificate of Recognition issued by the DOJ-RSPPU showing that the applicant is recognized as a refugee/stateless person or presentation of the original Certificate of Recognition and submission of a duplicate copy thereof.

Other documents required by subsequent laws and regulations, if any, shall likewise be submitted.

2.3 For online applications, a signed application form is no longer required since the accomplished online application is equivalent to the duly-accomplished physical application form. The online application for BN registration is subject to the Terms and Conditions set forth under these Rules and by clicking the "I Agree" button, the applicant is deemed to have understood and accepted all such Terms and Conditions including the mandatory undertakings enumerated under Section 2, Rule III hereof as posted on the web-enabled BN registration system.

Online applications filed by refugees and stateless persons shall be acted upon compliance with the supporting documentary requirements enumerated under Section 2.2.2 of this Rule at any DTI Office.

### RULE III THE APPLICATION FORM

**Section 1. Information Required** – The applicant shall supply all the necessary information as required in the Application Form as prescribed in Annex B.

**Section 2. Mandatory Undertaking** – The applicant shall declare, warrant and represent that:

- 2.1 all information supplied in the application filed are true and correct to the best of his/her belief and knowledge;
- 2.2 he/she undertakes to immediately inform the DTI of any and all changes in his/her business and personal details and understands that failure to do so shall be a ground for the cancellation/revocation of his/her BN registration;
- 2.3 any false or misleading information supplied, or production of false or misleading document to support the application shall be a ground for the automatic denial of the application, automatic cancellation and/or revocation of the BN registration and/or filing of appropriate criminal, civil and/or administrative action against him/her;
- 2.4 he/she undertakes to voluntarily cancel or change the BN upon receipt of notice or order from the DTI or upon conclusive determination that a prior owner and lawful user of an identical or confusingly similar BN exists pursuant to Section 2, Rule X hereof;
- 2.5 he/she understands and undertakes to comply with the provisions of Act No. 3883, as amended, and its implementing rules and regulations and other related laws and rules;

- 2.6 he/she understand that a post-evaluation may be conducted after the registration process and understands that any negative findings may be ground for the cancellation of my BN registration from the records of DTI upon failure to comply with the post-evaluation recommendations, without prejudice to the filing of criminal, civil, and/or administrative action, as applicable;
- 2.7 he/she understands and consents to the disclosure to the public of information enumerated under Section 2, Rule VIII and Section 2, Rule XI hereof in accordance with the procedure set forth under Rule XII of these Rules; and
- 2.8 he/she undertakes full responsibility in ensuring that his/her proposed Business Names are registrable under these Rules.

#### RULE IV REGISTRABILITY OF NAMES

**Section 1. Composition of a Business Name** – A Business Name should be comprised of the following in no particular order:

- 1.1 **Dominant portion** – word, group of words or a combination of letters and numerals.
- 1.2 **Descriptor** – word or group of words describing the nature of business based on the Philippine Standard Industrial Classification (PSIC) as listed in Annex C of these Rules which is to be updated regularly or as may be deemed necessary.

**Section 2. Registrable Names** – Any name or names, other than the true name of the applicant and not among the enumerations in Section 3 hereof can be registered as BN.

**Section 3. Non-Registrable Names** – The following words or group of words shall not be registered as business name:

- 3.1 Those that connote activities or norms that are unlawful, immoral, scandalous or contrary to propriety;
- 3.2 Those names, words, terms or expressions used to designate or distinguish, or suggestive of quality, of any class of goods, articles, merchandise, products or services;
- 3.3 Those that are registered as trade names, trademarks, or business names by any government agency authorized to register names or trademarks;
- 3.4 Those that are inimical to the security of the State;
- 3.5 Those that are composed purely of generic word or words;
- 3.6 Those that by law or regulation are restricted or cannot be appropriated;
- 3.7 Those that are officially used by the government in its non-proprietary functions;

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- 3.8 Those names or abbreviations of any nation, intergovernmental or international organization unless authorized by competent authority of that nation, inter-government or international organization;
- 3.9 Those ordered or declared by administrative agencies/bodies or regular court not to be registered;
- 3.10 Those names of other persons;
- 3.11 Those names which are deceptive, misleading or which misrepresent the nature of business.

**Section 4. Request for Reconsideration** – In case of denial of Business Name Registration, new application or renewal, the applicant may request for reconsideration where the application was denied within (10) working days from receipt of denial. In case of online application, the applicant may request for reconsideration before any DTI Office within ten (10) working days from receipt of the denial. The request for reconsideration shall be in writing citing therein the reason.

The Resolution on the Request for Reconsideration shall be issued within ten (10) working days from receipt thereof. The Resolution shall be final.

## **RULE V TERRITORIAL SCOPE OF BUSINESS NAME**

**Section 1. Geographical Divisions** – The territorial scope of BN registration is hereby established based on the geographical divisions below. A BN applicant shall choose the territorial scope for the BN he/she is applying for. The territorial scope for the registered BN is where he/she may locate his/her business and use the registered BN during its validity period. The DTI processor shall evaluate the registrability of the proposed BN as follows:

- 1.1 **Barangay** – If the applicant indicates his/her BN as applicable only within a particular Barangay, the same BN shall be approved provided it is not similar or confusingly similar with BNs registered within the same Barangay, within the City/Municipality and Region covering that Barangay and BNs that are National in scope;
- 1.2 **City/Municipality** – If the applicant indicates his/her BN as applicable only within a particular City/Municipality, the same BN shall be approved provided it is not similar or confusingly similar with BNs registered within the same City/Municipality and its Barangays, within the same Region covering that City/Municipality and BNs that are National in scope;
- 1.3 **Regional** – If the applicant indicates his/her BN as applicable only within a particular Region, the same BN shall be approved provided it is not similar or confusingly similar with BNs registered within the same Region and all Cities/Municipalities and Barangays under it and BNs that are National in scope;
- 1.4 **National** – If the applicant indicates his/her BN as applicable in National, the same BN shall be approved provided it is not similar or confusingly similar with all registered BNs.

Territorial scope is the scope of location area where a business may locate using its registered BN regardless of the number of branches/outlets which may be set up therein and is not to be considered the geographical limit within which to transact business.

**Section 2. Change in Territorial Scope.** – The Territorial Scope may be changed subject to the specific provisions on registrability and shall have the effect of new application for BN registration, which includes issuance of a new Certificate of BN Registration and new validity period replacing the previous BN registration, and other such implications as provided in these Rules.

**2.1** Provided that the following requirements are presented/submitted at any DTI office:

- a. Submission of Other BN-Related Application Form prescribed in Annex D signed by the registered BN owner;
- b. Presentation of one (1) valid ID of the registered BN owner as listed in Annex A;
- c. Submission of authorization letter upon filing of the application if filed by a representative and presentation of the authorized representative's valid ID as listed in Annex A; and
- d. Payment of fee prescribed in Annex E.

Other documents required by subsequent laws and regulations, if any, shall likewise be submitted.

## RULE VI FEES

**Section 1. Application Fees** – DTI, through the available ePayment facility or its Regional/Provincial Offices/Negosyo Centers or authorized personnel shall collect the fees prescribed in Annex E hereof. All fees collected shall not be refundable.

**Section 2. Payment Options** – Applications which are lodged online may also be paid over-the-counter at any Regional/Provincial Offices/Negosyo Centers or to authorized personnel and shall be accepted at the priority lane and acted upon subject to the complete presentation/submission of the following requirements:

- a. Presentation of one (1) valid ID as listed in Annex A;
- b. Submission of the Undertaking document downloaded from the web-enabled BN Registration System (BNRS) and signed by the owner of the BN application. A representative is not allowed to sign the Undertaking document. In case that the applicant failed to download said document from the BNRS, the applicant shall be provided with an Undertaking document as prescribed in Annex F to be signed and submitted to any DTI Office. A physical application form is no longer required as long as his/her application can be verified to have been lodged online and his BN reservation period of five (5) working days has not yet expired; and
- c. Payment of fee prescribed in Annex E.

## RULE VII RENEWAL PERIOD

**Section 1. Early Filing** – The application for renewal of BN Registration may be filed within one hundred eighty (180) calendar days prior to its expiration. Nevertheless, the date

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of renewal of the BN Registration shall still commence on the day following the previous expiry date.

**Section 2. Regular Filing** – The application for a renewal of a BN Registration may be filed within ninety (90) calendar days after its expiration.

**Section 3. Late Filing (Grace Period for Renewal)** – After the lapse of regular filing period, a BN registration may still be renewed within the next ninety (90) calendar days subject to payment of a surcharge of Fifty Percent (50%) of the registration fee.

Applications for renewal of BN registration after the grace period shall no longer be accepted. All BN Registrations not renewed shall be immediately cancelled pursuant to Section 1.3.1, Rule IX of these Rules and shall be made available for application.

## **RULE VIII CERTIFICATE OF BUSINESS NAME REGISTRATION**

**Section 1. Issuance of Certificate of Business Name Registration** – The Certificate of Business Name Registration shall be issued upon successful completion of the registration process.

**Section 2. Standard Information** – The Certificate of Business Name Registration shall contain the following information:

- 2.1 Approved Business Name;
- 2.2 Territorial Scope;
- 2.3 Name of the BN Owner;
- 2.4 Validity Period;
- 2.5 Office, name, position and signature of the DTI authorized signatory;
- 2.6 BN Number;
- 2.7 Payment of Documentary Stamp Tax.

**Section 3. Validity** – The Certificate of Business Name Registration shall be valid for five (5) years from the date of issuance thereof.

**Section 4. Display of Signage and Certificate of Business Name Registration** – The Business Name signage must be displayed outside the place of business to ensure visibility to the public. Likewise, the Certificate of Business Name Registration must be conspicuously displayed at the place of business, at all times.

**Section 5. Use of the Certificate of Business Name Registration** – The Certificate of Business Name Registration shall be exclusively used by the owner for the registered purpose/business and within its territorial scope.

The use of the Certificate of Business Name Registration by any person other than the registered owner for whatever purpose is prohibited.

**Section 6. Changes of Information or Amendments to the Certificate of Business Name Registration** – Changes or Amendments of information related to the Business Name Registration is allowed provided that the following requirements are presented/submitted at any DTI Office:

- 6.1 Change or amendment of the BN owner's name by virtue of marriage or judicial decree;

- a. Submission of Other BN-Related Application Form prescribed in Annex D signed by the registered BN owner;
- b. Presentation of one (1) valid ID of the registered BN owner as listed in Annex A;
- c. Submission of a clear certified copy of the marriage certificate or appropriate judicial decree or presentation of the original marriage certificate and submission of a duplicate copy thereof;
- d. Submission of authorization letter upon filing of the application if filed by a representative and presentation of the authorized representative's valid ID as listed in Annex A; and
- e. Payment of fee prescribed in Annex E.

Once change is effected a corresponding Certificate of BN Registration shall be issued with the new name of the BN owner.

**6.2 Change or amendment of residence and/or business address and other business information:**

- a. Submission of Other BN-Related Application Form prescribed in Annex D signed by the registered BN owner;
- b. Presentation of one (1) valid ID of the registered BN owner as listed in Annex A;
- c. Submission of Authorization Letter upon filing of the application if filed by a representative and presentation of the authorized representative's valid ID as listed in Annex A; and
- d. Payment of fee prescribed in Annex E.

Provided, the new business address remains within the registered territorial scope. Otherwise, the rules on change of territorial scope under Section 2, Rule V in relation to Section 1, Rule IX hereof shall apply.

Once change is effected a corresponding Certification signed by an authorized signatory shall be issued as an addendum to the original Certificate of BN Registration.

Other documents required by subsequent laws and regulations, if any, shall likewise be submitted.

**RULE IX**  
**CANCELLATION OF THE CERTIFICATE OF BN REGISTRATION**

**Section 1. Types of Cancellation:**

**1.1 Voluntary Cancellation** – The BN owner, at his/her own initiative, may request for the cancellation of his/her BN at any DTI Office under any of the following conditions:

- 1.1.1 Ceases to carry on with the business under the BN prior to its expiry date;
- 1.1.2 Sale or transfer of the business to any other person;

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- 1.1.3 Upon BN owner's conclusive determination that a prior owner and lawful user of an identical or confusingly similar BN exists;
- 1.1.4 Transfer of business to another geographical location beyond or outside the registered BN's territorial scope.

Provided that the following requirements shall be presented/submitted and that due diligence will be conducted within seven (7) days from receipt of the written request:

- a. Submission of Other BN-Related Application Form prescribed in Annex D signed by the registered BN owner;
- b. Presentation of one (1) valid ID of the BN owner as listed in Annex A;
- c. Submission of a declaration under oath that the cancellation is not intended to defraud creditors and that he/she has no outstanding and pending financial obligation in connection with his/her business or that he/she has notified all the creditors of such cancellation, as the case may be;
- d. Submission of Authorization Letter upon filing of the application if filed by a representative and presentation of the authorized representative's valid ID as listed in Annex A; and
- e. Payment of fee prescribed in Annex E.

Other documents required by subsequent laws and regulations, if any, shall likewise be submitted.

**1.2 Mandatory Cancellation** – The DTI may cause the cancellation of the BN registration in any of the following instances:

- 1.2.1 For violations enumerated in Section 1, Rule X hereof, after due notice and hearing;
- 1.2.2 Upon order by an administrative body, court or tribunal, which has become final and executory;
- 1.2.3 Upon receipt of notice of cancellation of the BN owner's business permit or license issued by any government regulatory agency for the conduct of business;
- 1.2.4 Cancellation, revocation or cessation of recognized refugee or stateless person status in accordance with the DOJ Department Circular No. 58 dated 1 October 2012 including all future amendments, modifications, or revisions thereof.

The DTI – Competitiveness Bureau shall cancel BN registrations upon receipt of orders from the Regional/Provincial Office/Fair Trade Enforcement Bureau under Section 1.2.1 or writ of execution by an administrative body, tribunal, or court under Section 1.2.2.

**1.3 Automatic Cancellation** – The DTI shall automatically cancel a registered BN under any of the following instances:

- 1.3.1 Failure to renew the BN Registration within the grace period provided under Rule VII;

- 1.3.2 Death of the owner – Upon receipt of information about the death of the BN owner from an informant (registered BN owner's relative). Informant shall submit Other BN-Related Application Form (Annex D) signed by the informant together with a clear certified copy of the death certificate of the registered BN owner and a copy of the informant's valid ID as listed in Annex A.

## RULE X REVOCATION OF THE CERTIFICATE OF BN REGISTRATION

**Section 1. Grounds for Revocation** - After due notice and hearing, a BN registration may be revoked motu proprio or upon petition by an interested party on the following grounds:

- 1.1 Upon any false or misleading information in the application for registration or engaging in acts of misrepresentation for the purpose of securing registration or renewal thereof such as submission of materially false or misleading document or false entry in the application form;
- 1.2 Failure to secure business permit within a period of six (6) months from registration of the BN;
- 1.3 Use of the BN for an immoral or illegal purpose or if a business is found to be involved in immoral or unlawful activity;
- 1.4 Contravention or failure to comply with any provisions of these rules; and
- 1.5 Gross violation of any law implemented by the Department.

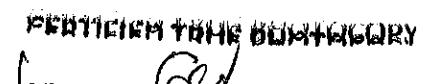
**Section 2. Procedure for Revocation** – The rules and procedure concerning complaints, petitions, or formal charges for revocation of business name registration shall be governed by Department Administrative Order No. 7, Series of 2006, including all future amendments, modifications, or revisions thereof, and the penalties under Executive Order No. 913, series of 1983, as amended.

Upon receipt of final orders from the Office exercising jurisdiction over the complaint, petition or formal charge for revocation of BN registration or writ of execution by an administrative body, tribunal, or court, the DTI shall revoke the BN registration, which shall be immediately executory unless restrained by a restraining order from a court.

The filing of a complaint, petition, or formal charge for revocation of business name registration in accordance with these Rules shall not bar the filing of appropriate civil and/or criminal action in the proper court.

## RULE XI ACCESS TO INFORMATION

**Section 1. Right of Access to Information by the Public.** – The public's right of access to information is recognized, subject to the limitations provided by applicable laws, rules and regulations, and payment of applicable fees. Such information deemed available to the public shall, upon request, be disclosed in the form of a Certification.

**RIGHT OF ACCESS TO INFORMATION**  
  
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**Section 2. Requests for Information Appearing on the Certificate of Business Name Registration** – Requests for any of the following information even without notice to the owner, may be granted:

- 2.1 Approved Business Name;
- 2.2 Territorial Scope;
- 2.3 Name of the BN Owner;
- 2.4 Validity Period;
- 2.5 Office, name, position and signature of the DTI authorized signatory;
- 2.6 BN Number;
- 2.7 Payment of Documentary Stamp Tax.

**Section 3. Request for Other Personal/Classified/Confidential Information** – Request for information other than those enumerated in Section 2 may be granted, provided that, the same is in writing and with the written consent of the owner, or when subpoenaed by the court.

## RULE XII PROCEDURAL PROVISIONS

**Section 1. Request for Certification related to the Certificate of BN Registration** – Pursuant to Rule XI of these Rules, the DTI may issue certifications relative to the Certificate of Business Name Registration upon submission of Other BN-Related Application Form prescribed in Annex D, presentation of a valid ID as indicated in Annex A, and payment of fee prescribed in Annex E.

The Regional/Provincial Director or authorized personnel with access to the BN registration system shall sign the Certification.

**Section 2. Request for Authentication or Certified True Copy of the BN Certificate of Registration** – Upon request by a registered BN owner, the DTI shall authenticate and/or issue certified true copies of a BN Registration Certificate upon submission of Other BN-Related Application Form prescribed in Annex D, presentation of a valid ID as indicated in Annex A, and payment of fee prescribed in Annex E.

The Regional/Provincial Director or authorized personnel with access to the BN registration system shall sign the certified true copy of the BN Certificate of Registration.

Only the registered BN owner may be issued a certified true copy or authenticated copy of his/her BN certificate in accordance with Section 5, Rule VIII hereof.

**Section 3. Administrative Actions** – Procedures in resolving administrative actions arising from violation/s of Act No. 3883, as amended, and these Rules shall be based on Department Administrative Order No. 7, Series of 2006, including all subsequent amendments, revisions, or modifications thereof, and penalties under Executive Order No. 913, Series of 1983, as amended. The filing of an administrative case hereunder shall not bar the filing of the appropriate civil and/or criminal action in the proper court.

**Section 4. Prescriptive Period** – Complaint or formal charge for violation/s of Act No. 3883, as amended, and these Rules, shall be filed within three (3) years from the day of the commission of the violation/offense or if such date is unknown at that time, then from the discovery thereof. After the said three (3) year period, the filing thereof shall be barred.

**RULE XIII**  
**RESPONSIBILITIES OF IMPLEMENTING OFFICES**

**Section 1. Implementing Offices; Functions** – For the effective and efficient implementation of these Rules, hereunder is the delineation of responsibilities over BN Registration:

**1.1 DTI-Competitiveness Bureau (CB)**

- 1.1.1 Oversee, administer, and monitor the implementation of Business Name Registration by DTI Regional/Provincial Office and Negosyo Center;
- 1.1.2 Formulate and prescribe policy and guidelines for the effective, efficient, and harmonious implementation of the Business Name Law and its Implementing Rules and Regulations;
- 1.1.3 Perform periodic review of its implementation including the conduct of BN-related trainings/activities within the DTI offices;
- 1.1.4 Undertake all other measures deemed necessary for the discharge of its functions and responsibilities;
- 1.1.5 Cancel BN Registration upon receipt of orders from Regional/Provincial/NCR Office or writ of execution by an administrative body, tribunal, or court; and
- 1.1.6 The Director/Assistant Director/Supervising Head of the BNRS shall exercise the delegated authority of the Secretary under the BN Law to receive and process requests for certification from government offices and agencies, government-owned or controlled corporations and other government instrumentalities and to appear/testify in any judicial or quasi-judicial body as may be required.

**1.2 DTI-Regional and Provincial Offices including the NCRO**

- 1.2.1 Accept, review and process applications for BN Registration and issue certificates of BN registration;
- 1.2.2 Accept payment of fees related to BN registration;
- 1.2.3 Receive requests for BN statistical reports and listings;
- 1.2.4 Exercise, as may be appropriate, visitorial power, monitoring, and enforcement within their territorial jurisdiction to ensure the efficient and effective compliance with Act 3883 as amended, and these Rules;
- 1.2.5 Exercise the delegated authority of the Secretary under the BN Law to receive and process requests for certification from government offices and agencies, government-owned or controlled corporations and other government instrumentalities and to appear/testify in any judicial or quasi-judicial body as may be required;
- 1.2.6 Receive and process requests for Certification and authentication of BN Certificates of Registration;
- 1.2.7 Exercise the delegated adjudicatory function of the Secretary under E.O. No. 913, series of 1983, as amended to take cognizance of and act upon requests for reconsideration from applicants whose application was denied by any Office within their jurisdiction;
- 1.2.8 Exercise such other delegated authority under E.O. No. 913, this Order and DAO No. 7, Series of 2006, including all future amendments, modifications, or revisions thereof to take cognizance of and act upon complaints, petitions, or formal charges for revocation of business name registration and submit Order to DTI-CB to complete the revocation process;

CERTIFICATE OF AUTHENTICITY

MA. CARLA YVETTE L. ILARDE  
Head, Records Section

- 1.2.9 Process the request for voluntary cancellation in accordance with Section 1.1 of Rule IX hereof;
- 1.2.10 Undertake such other measures, in coordination with the Competitive Bureau, as may be deemed necessary to improve the registration process that is aligned with the ease of doing business program of the government and ensure that all BN tellers and frontliners observe a high level of public service ethical standards and client satisfaction at all times.

The DTI Negosyo Centers may also be authorized to perform any of the above mentioned functions as may be deemed appropriate.

- 1.3 The **Information System Management Service (ISMS)** shall keep and maintain the BN Registry, manage all technical initiatives and perform such other technical functions necessary for the development and enhancement of the web-enabled BN registration system, including the enabling environment and operations of its application maintenance and production support.
- 1.4 The **Fair Trade Enforcement Bureau (FTEB)** shall monitor and enforce compliance of the provisions of Act No. 3883, as amended, and this Order within the National Capital Region.
- 1.5 The **Legal Service (LS)** shall provide legal support for the effective, efficient, and harmonious implementation of the Business Name Law and its implementing rules and regulations.

## RULE XIV SUSTAINABILITY

**Section 1. Contingency Plan** – To consistently provide efficient service, a contingency plan shall be implemented by DTI to sustain processing of BN registration in case of any event that might disrupt operations (e.g. system downtime, power interruption, intermittent internet connectivity).

## RULE XV FINAL PROVISIONS

**Section 1. Separability Clause.** – The provisions of these Rules are hereby declared separable. In the event any of such provisions are declared invalid by a competent court, the other provisions shall remain valid and effective.

**Section 2. Repealing Clause.** – Any and all DTI orders, rules and regulations, guidelines and policies that are inconsistent herewith are hereby repealed.

**Section 3. Effectivity.** – This Department Administrative Order shall take effect fifteen (15) days after its publication in the Official Gazette and/or in a newspaper of general circulation and the filing of three (3) copies hereof with the Office of the National Administrative Register (ONAR) of the University of the Philippines Law Center pursuant to Memorandum Circular 11 dated 09 October 1992 of the Office of the President.

MAILED  
CARLA M. VITTEL L. ILARDE  
Head, Records Section  
Department of Trade & Industry

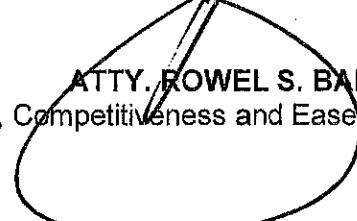
Issued and signed this 13 AUG day of 2018 in Makati City, Philippines.

APPROVED BY:

  
RAMON M. LOPEZ  
Secretary



RECOMMENDED BY:

  
ATTY. ROWEL S. BARBA  
Undersecretary, Competitiveness and Ease of Doing Business Group

CERTIFIED TRUE COPY  
*[Signature]*

MA. CARLA YVETTE L. ILARDE  
Head, Records Section  
Department of Trade & Industry

## **ANNEX A**

## **LIST OF GOVERNMENT-ISSUED IDs**

The following are government-issued identification documents that may be presented for business name registration and other business name related transactions:

- 1) Passport
  - 2) Driver's License
  - 3) Professional Regulation Commission (PRC) ID
  - 4) National Bureau of Investigation (NBI) CLEARANCE
  - 5) Police Clearance (ID form)
  - 6) Postal ID
  - 7) Voter's ID
  - 8) Unified Multi-Purpose ID
  - 9) Overseas Workers Welfare Administration (OWWA) ID
  - 10) Seaman's BOOK
  - 11) Integrated Bar of the Philippines (IBP) ID
  - 12) Senior Citizen's ID
  - 13) Persons with Disability (PWD) ID
  - 14) Government Office ID
  - 15) Validated State College/University ID

Any of the valid IDs presented by the BN applicant/owner or an authorized representative must bear his/her printed full name, signature and photograph and must be valid and active at the time of application.

GÉNIEUX TRAITEMENT

**MA. CANTRELL L. LARKE**  
Head, Records Section  
Department of Trade & Industry





Republic of the Philippines  
Department of Trade and Industry

ANNEX B

BNR Form No. 01-2018  
2018 Edition

BUSINESS NAME REGISTRATION  
SOLE PROPRIETORSHIP APPLICATION FORM

PLEASE READ THE GENERAL INSTRUCTIONS ON THE LAST PAGE BEFORE FILLING UP THIS APPLICATION FORM.

**A. TYPE OF DTI REGISTRATION**

1.  NEW  
 RENEWAL → Certificate No. \_\_\_\_\_ Date registered \_\_\_\_\_

**B. TAX IDENTIFICATION NO. (TIN)**

2.  With TIN Owner's TIN: \_\_\_\_\_  Without TIN

**C. OWNER'S INFORMATION**

3. First Name	4. Middle Name	5. Last Name	6. Suffix (e.g. Jr., Sr., I, II)
---------------	----------------	--------------	----------------------------------

7. Date of Birth

8. Civil Status

9. Gender

10. Are you a

Refugee?  Yes  No

Stateless person?  Yes  No

Year	Month	Day	<input type="checkbox"/> Legally separated <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed	<input type="checkbox"/> Male <input type="checkbox"/> Female	11. Citizenship
------	-------	-----	---	--	-----------------

**D. BUSINESS NAME TERRITORIAL SCOPE – Please choose ONLY ONE**

12.  Barangay (₱200.00)  City/Municipality (₱500.00)  Regional (₱1,000.00)  National (₱2,000.00)

Payment of ₱30 Documentary Stamp Tax is required.

Surcharge for RENEWAL: Additional 50% of the registration fee if filed within 91 days to 180 days after expiration.

**E. PROPOSED BUSINESS NAME – Please provide at least three (3) proposed Business Name options**

13.

14.

15.

**F. BUSINESS DETAILS**

16. House/Building No. & Name:	17. Street	
18. Barangay	19. City/Municipality	20. Province
21. Region	22. Phone no. (Area code)	23. Mobile no.

**G. PHILIPPINE STANDARD INDUSTRIAL CLASSIFICATION (PSIC)**

24. Main Business Activity	<input type="checkbox"/> Manufacturer/Producer <input type="checkbox"/> Wholesaler	<input type="checkbox"/> Service <input type="checkbox"/> Importer	<input type="checkbox"/> Retailer <input type="checkbox"/> Exporter	25. PSIC (Indicate Main Product Handled/Service Rendered)
----------------------------	---	---	--	---

**H. OWNER DETAILS**

<input type="checkbox"/> Same as Business Details provided in box Nos. 16 to 23. Proceed to no. 34		
26. House/Building No. & Name:	27. Street	28. Barangay
29. City/Municipality	30. Province	31. Region
32. Phone no. (Area code)	33. Mobile no.	34. Email Address

**I. PARTNER AGENCIES**

35. Core agencies registration (Please choose what ERNs you want to have.):  PhilHealth  SSS  Pag-IBIG

**J. OTHER DETAILS**

36. Asset	37. Capitalization	38. Gross Sale/Receipt
39. Planned No. of Employees → Male:	Female:	TOTAL: <i>RENTED TO THE GOVERNMENT</i>

*MA. CARLA VETTE L. ILARDE*  
Head, Records Section  
Department of Trade & Industry

**For DTI Use Only**

<b>Approved Business Name</b>		<b>Fee</b>	<b>Received by</b>
Business Name No.	Date Registered	OR Number	Date Paid
Issuing Office	Processed by	Reference Code	
BIR Tax Identification No.	SSS Employer No.	PhilHealth Employer No.	PAG-IBIG Employer No.

**PLEASE READ THE UNDERTAKING AND THE CONSENT CAREFULLY BEFORE SIGNING.**

**CHECK YOUR E-MAIL FOR INSTRUCTIONS/NOTIFICATIONS ON THE STATUS OF YOUR EMPLOYER REGISTRATION WITH THE SOCIAL AGENCIES (SSS, PHILHEALTH, PAG-IBIG) AND/OR YOUR TIN APPLICATION WITH BIR, IF APPLICABLE.**

**UN D E R T A K I N G**

Per Department Administrative Order (DAO) No. \_\_\_\_\_ as amended, I hereby declare that:

1. All information supplied in this application are true and correct to the best of my belief and knowledge;
2. I undertake to immediately inform the Department of Trade and Industry (DTI) of any and all changes in my business and personal details and understands that failure to do so shall be a ground for the cancellation/revocation of my Business Name (BN) registration;
3. Any false or misleading information supplied, or production of false or misleading document to support this application shall be a ground for the automatic denial of this application, automatic cancellation/revocation of the BN registration, and/or filing of appropriate criminal, civil and/or administrative action against me;
4. I undertake to voluntarily cancel and change the business name immediately upon receipt of notice or order from the DTI or upon conclusive determination that a prior owner and lawful user of an identical or confusingly similar business name exists;
5. I understand that a post-evaluation may be conducted after the registration process and understands that any negative findings may be ground for the cancellation of my BN registration from the records of DTI upon failure to comply with the Post-evaluation recommendations, without prejudice to the filing of criminal, civil, and/or administrative action, as applicable;
6. I understand and undertake to comply with the provisions of Act No. 3883 otherwise known as the BN Law, as amended, and its implementing rules and regulations and other related laws and rules;
7. I understand and consent to the disclosure to the public of the information appearing on my Certificate of BN Registration in accordance with the procedure set forth under the applicable rules and regulations of the BN Law and other existing rules and regulations on disclosure of information;
8. I undertake full responsibility in ensuring that my proposed business name is -
  - a) not a term or word or group of words that connote activities or norms that are unlawful, immoral, scandalous or contrary to propriety (e.g. Boobs Massage & Spa);
  - b) not a name, words, terms or expressions used to designate or distinguish, or suggestive of quality, of any class of goods, articles, merchandise, products or services;
  - c) not those that are registered as trade names, trademarks, or business names by any government agency authorized to register names or trademarks;

*PERMITTED TO THE DEPARTMENT*

*MA. CARLA YVETTE L. ILARDE*  
Head, Records Section

- d) not a name that is inimical to the security of the State;
  - e) not composed purely of generic word or words (e.g. The Drugstore, Health Care Clinic);
  - f) not a name which by law or regulation is restricted or cannot be appropriated (e.g. Red Cross, Red Crescent, ISIS);
  - g) not officially used by the government in its non-proprietary functions (e.g. NBI Private Investigation Services, PNP Security Agency);
  - h) not a name or abbreviation of any nation, inter-governmental or international organization unless authorized by competent authority of that nation, inter-government and international organization;
  - i) not ordered or declared by administrative agencies/bodies or regular courts not to be registered;
  - j) not a name of other persons; and
  - k) not deceptive, misleading or misrepresent the nature of my business.
9. I fully understand and hereby agree without any reservation that my failure to comply with or observe any of the foregoing undertakings or any of pertinent rules and regulations shall be sufficient ground for the denial of my application or cancellation/revocation of my registration of business name.

#### CONSENT

By applying for a business name, I hereby agree and consent to the processing of my **personal information, specifically business information for the purpose of Business Name registration**. I understand that my personal information will be shared with other government agencies; the use of which shall be governed by the Data Privacy Act of 2012 and Act No. 3883. I promise to notify the DTI should there be any amendment in my personal information.

---

Owner's Signature Over Printed Name

---

Date

CERTIFIED TRUE COPY

MA. CARLA VIVETTE L. ILARDE  
Head, Records Section  
Department of Trade & Industry

**GENERAL INSTRUCTIONS IN ACCOMPLISHING AND SUBMITTING APPLICATION AND REQUIREMENTS**

- Accomplish the application form and fill out completely and clearly all the mandatory fields.
- Do not abbreviate the information, in business name, business and owner's address and name of owner as it will appear in the Certificate of Business Name Registration.
- **Only the owner of the business name is authorized to sign the application form.**
- Present one (1) valid government-issued ID together with the application form to any DTI Regional/ Provincial/ Satellite/ Field Offices/Negosyo Center.

**A. Type of Registration**

1. DTI Registration Type. Tick the appropriate box for your business.
  - **New** – Registration Type to be selected if applicant wishes to register a New BN.
  - **Renewal** - Registration Type to be selected if applicant wishes to renew an expiring/expired BN.

**B. Tax Identification Number (TIN)**

2. TIN. This is required information to be able to transact with any government office per E.O.98.

**C. Owner's Information**

3. First Name; 4. Middle Name; 5. Last Name; 6. Suffix (if applicable). Indicate correct name as these would appear in the Certificate of BN Registration.
7. Date of Birth. Owner must be of majority age (at least 18 years old) unless otherwise indicated.
8. Civil Status. Tick the appropriate box.
9. Gender. Tick the appropriate box.
10. Refugee/Stateless Person. Tick the appropriate box of your answer whether you are a refugee or a stateless person.
11. Citizenship. Indicate your citizenship.

**D. Business Name Territorial Scope**

12. Territorial Scope of Business Name. Tick the appropriate box of the scope of your proposed business. Business scope refers to the registrability of a BN within a specific territory without prejudice to engaging in business elsewhere or to the geographical limit within which the business may locate using the registered BN.

**E. Proposed Business Name**

- 13-15. Proposed Business Name. Business Name (BN) must be comprised of the dominant portion (word, group of words or a combination of letters and numerals) and a descriptor (word or group of words describing the nature of business). E.g. Alberto's Garment Manufacturing, Marita's Carinderia. Use of dominant or generic business names are not allowed (e.g. Automotive Enterprise).

**F. Business Details**

16. House/Building No.. Includes building name and floor number, Lot, Block and Phase numbers, and Subdivision name, among others.
17. Street; 18. Barangay; 19. City/Municipality; 20. Province; and 21. Region. Exact business address.
22. Phone No.. Both landline and mobile numbers with area code are required.

**G. Philippine Standard Industrial Classification (PSIC)**

24. Main Business Activity. Tick appropriate box.
25. PSIC Indicate Main Product Handled/Service Rendered. Identify only one (1) main product/service.

**H. Owner Details**

26. House/Building No.. This information includes building name and floor number, Lot, Phase and Block numbers, and Subdivision, among others.
27. Street; 28. Barangay; 29. City/Municipality; 30. Province; and 31. Region. Exact residence address.
- 32 & 33. Phone and Mobile Nos.. Either landline or mobile numbers with area code is required.
34. E-mail Address. This is where e-mail notifications regarding your registration will be sent.

**I. Partner Agencies**

35. Core Agencies Registration. Tick the appropriate box of the agencies where you want to register and get your Employer Registration No.

**J. Other Details**

36. Asset. This includes cash and cash equivalents; accounts receivable; inventory; prepaid expenses; and property and equipment.
37. Capitalization. The initial investment or money used to start a business, whether for office space, permits, licenses, inventory, product development and manufacturing, marketing or any other expense.
38. Gross Sale/Receipt. The grand total of all sale transactions within a given period without deductions.
39. Planned No. of Employees. Indicate the number of planned employees to be hired and their gender (male or female).

**PARTICLE II THE APPENDIX**

MA. CARLA YVETTE L. ILARDE  
Head, Records Section

## OTHER BUSINESS NAME (BN)-RELATED APPLICATION FORM

To Applicant: Place a *✓* in the box pertaining to the transaction/process being applied for, and accomplish the Application Letter.

To BN Processor: Application should be accepted/received only when the requirements are complete.

**See back hereof for the list of requirements and schedule of fees.**

**BN CERTIFICATION** (State purpose: \_\_\_\_\_)

**AUTHENTICATION / CERTIFIED TRUE COPY (CTC) OF BN CERTIFICATE OF REGISTRATION**

(No. of copies: \_\_\_\_\_)

**CHANGE IN TERRITORIAL SCOPE**

From : \_\_\_\_\_  
To : \_\_\_\_\_

**CHANGE OF BUSINESS INFORMATION**

OWNER'S NAME (*By virtue of marriage or judicial decree*)

From : \_\_\_\_\_  
To : \_\_\_\_\_

Proof/Basis submitted (*Duplicate or Clear Certified Copy*): \_\_\_\_\_

BUSINESS ADDRESS

From : \_\_\_\_\_  
To : \_\_\_\_\_

OWNER'S ADDRESS

From : \_\_\_\_\_  
To : \_\_\_\_\_

**CANCELLATION OF BUSINESS NAME REGISTRATION**

Basis/Reason for cancellation: \_\_\_\_\_

### BN DETAILS

Business Name : \_\_\_\_\_

Certificate no. : \_\_\_\_\_ Date registered: \_\_\_\_\_ TRN/REFERENCE CODE : \_\_\_\_\_

\_\_\_\_\_  
Signature over Printed Name

### VALID IDs PRESENTED:

For Registered BN Owner/Informant: \_\_\_\_\_ For Authorized Representative: \_\_\_\_\_  
Together with the Authorization Letter, both IDs shall be presented in cases where application is filed by an authorized representative.

**NOTE: AUTHORIZATION OF A REPRESENTATIVE IS NOT APPLICABLE FOR REQUESTS FOR AUTHENTICATION/CERTIFIED TRUE COPY OF BN CERTIFICATE OF REGISTRATION PER SECTION 5, RULE VIII OF THE REVISED RULES AND REGULATIONS IMPLEMENTING THE BUSINESS NAME LAW. ONLY THE REGISTERED OWNER MAY BE ISSUED A CERTIFIED TRUE COPY OR AUTHENTICATED COPY OF HIS/HER BN CERTIFICATE OF REGISTRATION.**

### For DTI Use:

TRN/Reference Code:		FEES PAID		
Date received:	Date processed :	Amount Paid: ₱	+ ₱30 DST	
Received by :	Processed by :	OR No.:	OR Date:	Issued by:

**MA. CARINA VETTE LILARDE**

**Head, Records Section  
Department of Trade & Industry**

**MAILED  
RECORDED  
PHOTOCOPY**

## OTHER BUSINESS NAME (BN)-RELATED APPLICATION FORM

(Applications for: BN Certification; Authentication/Certified True Copy of Certificate of BN Registration; Change in Territorial Scope; Change of Business Information and BNR Cancellation)

### INSTRUCTIONS / GUIDELINES:

- OTHER BN-RELATED APPLICATION FORM is to be used for applications for BN-related transactions or process/es other than "New" and "Renewal" BN Applications.
- Valid IDs to be presented must bear the printed full name, signature and photo and must be valid and active at the time of application.
- Upon submission of the accomplished Form, the BN Processor shall determine the applicable fee/s using the table below.

### REQUIREMENTS:

#### For BN Certification:

1. Accomplished OTHER BN-RELATED APPLICATION FORM
2. Presentation of valid ID

#### For Authentication/Certified True Copy of BN Certificate of Registration:

Same as items 1 and 2 above.

**NOTE: ONLY THE REGISTERED BN OWNER MAY REQUEST FOR AUTHENTICATION/CTC OF HIS/HER BN CERTIFICATE OF REGISTRATION PER SECTION 5, RULE VIII OF THE REVISED RULES AND REGULATIONS IMPLEMENTING THE BUSINESS NAME LAW.**

#### For Change in Territorial Scope:

Same as items 1 and 2 above.

3. Submission of authorization letter of authorized representative and presentation authorized representative's valid ID
4. Payment of applicable fee

#### For Change of Business Information:

If change in registered BN owner's name –

Same as items 1 to 4 above.

5. Submission of a clear certified copy of the marriage certificate or appropriate judicial decree or presentation of the original marriage certificate and submission of a duplicate copy thereof.

If change in registered BN owner's address and/or business address –

Same as items 1 to 4 above.

#### For Cancellation of BN Registration:

If voluntary cancellation –

Same as items 1 to 4 above.

5. Submission of a declaration under oath that the cancellation is not intended to defraud creditors and that registered BN owner has no outstanding and pending financial obligation in connection with his/her business or that he/she has notified all the creditors of such cancellation, as the case may be.

In case of death of registered BN owner –

Informant (registered BN owner's relative) shall accomplish and submit this Form together with a clear certified copy of the Certificate of Death of the registered BN owner and present his/her valid ID.

### APPLICABLE FEE/S:

Transaction/Process Applied For	DTI Fee	DST*	Total
<input type="checkbox"/> BN CERTIFICATION	P 50	P 30	
<input type="checkbox"/> AUTHENTICATION/CERTIFIED TRUE COPY (PER COPY)	P 50	P 30	
<input type="checkbox"/> CHANGE IN TERRITORIAL SCOPE	<i>Applicable Fee based on the New Territorial Scope</i>		
<input type="checkbox"/> CANCELLATION OF BUSINESS NAME REGISTRATION		P 30	
<input type="checkbox"/> CHANGE OF BUSINESS INFORMATION <ul style="list-style-type: none"> <li>• P50 is charged for EACH change in business information.</li> <li>• If two or more changes in business name information are applied for simultaneously, only one DST is charged.</li> </ul>		P 30	
<input type="checkbox"/> BUSINESS ADDRESS	P 50		
<input type="checkbox"/> OWNER'S NAME	P 50		
<input type="checkbox"/> OWNER'S ADDRESS	P 50		
<b>TOTAL</b>			

\* DST (Documentary Stamp Tax) – pursuant to BIR Revenue Memorandum Order 13-2008 - March 13, 2008.

**CERTIFIED TRUE PHOTOCOPY**

  
**MA. CARLA YVETTE L. ILARDE**  
 Head, Records Section  
 Department of Trade & Industry

## ANNEX E

### SCHEDULE OF FEES

This schedule covers the following fees:

1. Registration fee for new and renewal applications based on territorial scope;
2. Fees for administrative, research and other miscellaneous expenses; and
3. Other charges for relevant certifications, changes in information, territorial scope, cancellations, directories, statistical data, and listings generated.

#### **A. Registration Fee**

<b>Territorial Scope</b>	<b>Original</b>	<b>Renewal</b>
a. Barangay	Php 200.00	Php 200.00
b. City/Municipality	Php 500.00	Php 500.00
c. Regional	Php 1,000.00	Php 1,000.00
d. National	Php 2,000.00	Php 2,000.00
<b>+ Documentary Stamp Tax (DST)</b>	Php 30.00	

Pursuant to BIR Revenue Memo Order 13-2008 (13 March 2008)

#### **B. Other Fees**

B1. Surcharge for Renewal If filed within ninety-one (91) days to one hundred eighty days (180) days after the expiration date (Late Filing/Grace Period)	Additional 50% of the selected Territorial Scope
B2. Cancellation	DST Php 30.00
B3. Certification / Change of Business Information	
Affirmative/Negative Certification	Php 50.00 + DST
Change of Owner's Name, Business Address, Owner's Address	Php 50.00 / change of info + DST
B4. Authentication/Certified True Copy (Per copy)	Php 50.00 + DST

#### **C. Business Name Listing**

Soft/Hard Copy – first five (5) pages	Php 20.00
- per page of the succeeding page(s)	Php 3.00

CERTIFIED TRUE BY *Carla*  
MA. CARLA YVETTE L. ILARDE  
Head, Records Section  
Department of Trade & Industry

REFERENCE CODE: \_\_\_\_\_

Total Fee: \_\_\_\_\_

**UNDERTAKING**

Per Department Administrative Order (DAO) No. \_\_\_\_\_ as amended, I hereby declare that:

1. All information supplied in this application are true and correct to the best of my belief and knowledge;
2. I undertake to immediately inform the Department of Trade and Industry (DTI) of any and all changes in my business and personal details and understands that failure to do so shall be a ground for the cancellation/revocation of my Business Name (BN) registration;
3. Any false or misleading information supplied, or production of false or misleading document to support this application shall be a ground for the automatic denial of this application, automatic cancellation/revocation of the BN registration, and/or filing of appropriate criminal, civil and/or administrative action against me;
4. I undertake to voluntarily cancel or change the business name immediately upon receipt of notice or order from the DTI or upon conclusive determination that a prior owner and lawful user of an identical or confusingly similar business name exists;
5. I understand that a post-evaluation may be conducted after the registration process and understands that any negative findings may be ground for the cancellation of my BN registration from the records of DTI upon failure to comply with the Post-evaluation recommendations, without prejudice to the filing of criminal, civil, and/or administrative action, as applicable;
6. I understand and undertake to comply with the provisions of Act No. 3883 otherwise known as the BN Law, as amended, and its implementing rules and regulations and other related laws and rules;
7. I understand and consent to the disclosure to the public of the information appearing on my Certificate of BN Registration in accordance with the procedure set forth under the applicable rules and regulations of the BN Law and other existing rules and regulations on disclosure of information;
8. I undertake full responsibility in ensuring that my proposed business name is:
  - a) not a term or word or group of words that connote activities or norms that are unlawful, immoral, scandalous or contrary to propriety (e.g. Boobs Massage & Spa);
  - b) not a name, words, terms or expressions used to designate or distinguish, or suggestive of quality, of any class of goods, articles, merchandise, products or services;
  - c) not those that are registered as trade names, trademarks, or business names by any government agency authorized to register names or trademarks;
  - d) not a name that is inimical to the security of the State;

- e) not composed purely of generic word or words (e.g. The Drugstore, Health Care Clinic);
  - f) not a name which by law or regulation is restricted or cannot be appropriated (e.g. Red Cross, Red Crescent, ISIS);
  - g) not officially used by the government in its non-proprietary functions (e.g. NBI Private Investigation Services, PNP Security Agency);
  - h) not a name or abbreviation of any nation, inter-governmental or international organization unless authorized by competent authority of that nation, inter-government and international organization;
  - i) not ordered or declared by administrative agencies/bodies or regular courts not to be registered;
  - j) not a name of other persons; and
  - k) not deceptive, misleading or misrepresent the nature of my business.
9. I fully understand and hereby agree without any reservation that my failure to comply with or observe any of the foregoing undertakings or any of pertinent rules and regulations shall be sufficient ground for the denial of my application or cancellation/revocation of my business name registration.

### CONSENT

By applying for a business name, I hereby agree and consent to the processing of my personal information, specifically business information for the purpose of Business Name registration. I understand that my personal information will be shared with other government agencies; the use of which shall be governed by the Data Privacy Act of 2012 and Act No. 3883. I promise to notify the DTI should there be any amendment in my personal information.

---

Owner's Signature Over Printed Name

---

Date

CERTIFIED TRUE AND ACCURATE  
Re  
MA. CARINA YVETTE L. ILARDE  
Head, Records Section  
Department of Trade & Industry