



## Client Alert

MACDONALD, ILLIG, JONES AND BRITTON LLP

MAY 2011

### Protect Your Entity's Name, Insignia and Marks: File a Decennial Report by December 31, 2011

All domestic and foreign "for profit" and "non-profit" corporations, limited liabilities companies, limited partnerships and other associations are required to file a Decennial Report of Continued Existence (a "Decennial Report") with the Pennsylvania Department of State (the "Department") on or before December 31, 2011, and every ten years thereafter, in order to maintain the exclusive right to use the entity's registered name, insignia, and marks.

Exempt from this requirement are entities that, between December 31, 2001 and December 31, 2011, either: (a) made new or amended filings with the Department, other than a reservation of corporate name; or (b) had officer information forwarded to the Department by the Department of Revenue.

If a non-exempt entity fails to file a Decennial Report, the entity will continue to exist but the entity's name will become available for use by other entities. If an entity fails to file a Decennial Report with respect to a registered insignia or mark, the insignia or mark will no longer be considered registered.

The Department mailed notices to entities that are required to file Decennial Reports by December 31, 2011. However, an entity may not have actually received the notice if, for example, the Department did not have a correct address for the entity. Failure to receive notice from the Department does not excuse an entity from filing a Decennial Report.

The filing fee for a Decennial Report is \$70. A blank copy of a Decennial Report form may be downloaded from the Department's website at [www.dos.state.pa.us](http://www.dos.state.pa.us).

For more information regarding Decennial Reports, please contact Jenna Bickford at 814-870-7762, or any MacDonald, Illig, Jones & Britton LLP attorney with whom you have worked.

#### For more information:



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to clients and friends of the firm. The information contained in this publication should not be construed as legal advice. Please consult your attorney regarding specific situations.

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