

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1422

Page 1, line 1, replace "section" with "sections" and after "45-11-01" insert "and 47-25-01"

Page 1, line 2, remove "the definition of a" and replace "name" with "and trade names"

Page 1, line 7, remove "counterfeit, alias, feigned, or"

Page 1, line 8, remove "pretended" and replace "taken by a person, differing in some essential particular from the" with "assumed to identify"

Page 1, remove line 9

Page 1, line 10, remove "name or an individual's surname within", after "partnership" insert "and which does not include in its", and replace "if the true name or" with ":

- a. The true name of each organizational partner;
- b. The first name and surname of each partner; or
- c. The surname of each partner, repeating a surname if more than one partner has the same surname."

Page 1, remove lines 11 and 12

Page 2, after line 10, insert:

"SECTION 2. AMENDMENT. Section 47-25-01 of the North Dakota Century Code is amended and reenacted as follows:

47-25-01. Trade name defined - Registration. ~~Every name under which any person or organization shall hereafter do or transact any business in this state, other than the true name of such person or organization, is hereby declared to be a "trade name".~~

1. a. As used in this section, a "trade name" is a name assumed to identify the business or activities of an individual or organization and which does not include in the name:
 - (1) The true name of the organization using the name;
 - (2) The first name and surname of each individual using the business name; or
 - (3) The surname of each individual, repeating a surname if more than one owner has the same surname.
- b. A name assumed under paragraph 3 or a name of an organization or association not otherwise registered with the secretary of state is a trade name if a license or permit to conduct business or operations is required by this state.

2. A person or organization that has registered a trade name ~~hereunder~~ under this section may institute a civil suit prohibiting any other person from using ~~such the~~ the name.
3. ~~The provisions of this~~ This chapter ~~shall~~ does not prohibit any person engaged in business under a trade name ~~prior to~~ before July 1, 1959, from continuing business under ~~such that~~ that name.
4. Notwithstanding any other provision of law, an individual or organization may register as a trade name under section 47-25-04 any name listed in paragraph 1, 2, or 3 of subdivision a of subsection 1."

Renumber accordingly