

## Re: Federal Corporation Amendment

Dear Madam/Sir:

Changes that require Articles of Amendment include changes to the following provisions:

- the corporation's name;
- its location of registered office, that is, the municipality and province, not simply the street address;
- the number of directors;
- voting privileges;
- any provision that had to be or has already been filed with Corporations Canada.

Attached please find:

1. Our Price List – Federal government fee for Amendment is \$200.00; our service fee is \$190.00 plus HST (includes amendment filing and Ontario updating);
2. Amendment information form - **PLEASE** provide your *email address* for future reminder notice and updating info from Corporations Canada;
3. Please read carefully regarding *How to Propose Federal Corporate Name* (a unique name will expedite the process);
4. (Optional) Minute book and corporate seal can be ordered from *corporate supplies order form*.

If you would like to proceed with the Amendment, please fill out the price list as well as the Amendment information form and fax back to us. Please allow us 4~5 business days to process your order.

Should you have any questions please do not hesitate to contact us. Thank you very much!

Sincerely,

Sandra Chen / Susan Ding



# Federal Corporation Amendment Information

Contact Name: \_\_\_\_\_ Tel: (    )                      Cell: (    )                      Date: \_\_\_\_\_

**1. Corporation's Present Name** \_\_\_\_\_

**2. Federal Corporation Number** \_\_\_\_\_

**3. Proposed Corporation Name** \_\_\_\_\_

**4. General Business Activities** \_\_\_\_\_

**5. Address of the Registered Business Office**

Suite/Apt./Unit: \_\_\_\_\_ Street No. & Name: \_\_\_\_\_

City: \_\_\_\_\_ Province:  ONTARIO Postal Code: \_\_\_\_\_ Business Phone: (    ) \_\_\_\_\_

**6. Directors' Name and Directors' Address for Service**

<b>FIRST</b>	First Name: _____		Middle Initial: _____		Last Name: _____	
	<input type="checkbox"/> Same as business address		Suite: _____	Street No. & Name: _____		
	Canadian/Permanent Resident: <input type="checkbox"/> Yes <input type="checkbox"/> No		Postal Code: _____	City: _____	Province: <input type="checkbox"/> ONTARIO	
	Elected Date: _____		Resigned Date: _____	<input type="checkbox"/> President / <input type="checkbox"/> Secretary / <input type="checkbox"/> Treasurer / <input type="checkbox"/> GM		

<b>SECOND</b>	First Name: _____		Middle Initial: _____		Last Name: _____	
	<input type="checkbox"/> Same as business address		Suite: _____	Street No. & Name: _____		
	Canadian/Permanent Resident: <input type="checkbox"/> Yes <input type="checkbox"/> No		Postal Code: _____	City: _____	Province: <input type="checkbox"/> ONTARIO	
	Elected Date: _____		Resigned Date: _____	<input type="checkbox"/> President / <input type="checkbox"/> Secretary / <input type="checkbox"/> Treasurer / <input type="checkbox"/> GM		

<b>THIRD</b>	First Name: _____		Middle Initial: _____		Last Name: _____	
	<input type="checkbox"/> Same as business address		Suite: _____	Street No. & Name: _____		
	Canadian/Permanent Resident: <input type="checkbox"/> Yes <input type="checkbox"/> No		Postal Code: _____	City: _____	Province: <input type="checkbox"/> ONTARIO	
	Elected Date: _____		Resigned Date: _____	<input type="checkbox"/> President / <input type="checkbox"/> Secretary / <input type="checkbox"/> Treasurer / <input type="checkbox"/> GM		

Note: If you have more directors, please write on another copy of this request form or provide the same info on a separate piece of paper.

**7. Extra Information**

➤ Authorizing person Signature: **X** \_\_\_\_\_ Authorizing person Name: \_\_\_\_\_

➤ E-mail Back?  YES E-mail address: \_\_\_\_\_

➤ Fax Back?  YES Fax number: \_\_\_\_\_ Attention: \_\_\_\_\_

## How to Propose Federal Corporation Name

(Note: The guideline here also helps for Ontario corporation name)

When you apply to incorporate a company under the Canada Business Corporations Act, you may choose to use a corporate name or have a number name assigned to you. Although incorporating under a name involves additional effort and expense. There are advantages to doing so.

A corporate name is an important aspect of corporate communication and advertising today and may be a very valuable asset. It tells people who you are and will often embody the goodwill that you have built up with your customers and suppliers.

An approved federal corporate name offers an extra degree of protection of your rights to that name. Specifically, federal incorporation allows your business to operate using its corporate name right across Canada, which is important if you decide to expand your business to other provinces or territories.

### CHOOSING A NAME

- ✧ Your name must meet certain requirements before it is approved by the Corporations Directorate:
- ✧ The name must be distinctive.
- ✧ The name must not cause confusion with any existing name or trademark.
- ✧ The name must include a legal element. The name must not include unacceptable terms.

### DISTINCTIVENESS

It must be easy to distinguish your proposed name from the names of other business that carry on the same activities. Your name will not be distinctive if it merely describes those activities. The name "Car Manufacturer Inc." lacks distinctiveness since it describes the activities of all car manufacturers.

You can achieve distinctiveness in a number way. One of the most common is to include an element that makes it distinctive. "Carwash Incorporated", for example, is too general, but "East Side Carwash Incorporated" is distinctive.

Made-up words also give name distinctiveness. They can be a combination of two dictionary words such as "InfoTech" or something completely new such as "Xerox". Unusual name are high distinctive and are given greater protection because they are unique.

## **Confusion with other names or trade marks**

It is to your advantage to learn about possible name conflicts as soon as possible. If your name is too close to an existing corporate name or trade-mark, the owner of that name or trade-mark could launch a court action to compel you to stop using your name and perhaps even to pay damages.

For many people, the prospect of discovering that their business name may be confused with another is intimidating. This is particularly true if you have invested considerable time and effort in coming up with a name or have been operating under the proposed name for some time before incorporating. The federal name approval process helps you to avoid this problem by identifying potentially confusing name or trade-mark in a federal database of name and ensuring that you satisfy yourself that confusion is not likely.

In assessing whether confusion is likely, the Corporations Director looks at all circumstances, including a comparison of the goods, services and operating area of your proposed business with those of existing businesses. While name approval from the Corporations Director does not guarantee that you are violating the rights of another firm or individual, it significantly reduces your risk.

You must submit a NUANS (Newly Upgraded Automated Name Search) report as part of your application to use your corporate name. A NUANS search compares your proposed name with a federal database of names that includes trade-mark, provincial and federal corporate names and most provincially registered business names (except those in Quebec)

## **Legal Element**

The accepted way to include a legal element in a corporate name is to add a term to the end of the name such as Limited, Incorporated, or Corporation, or contractions of these such as Ltd., Inc., or Corp.

## **Unacceptable terms**

Unacceptable terms fall into three categories.

First, there are terms that imply connections that do not exist. Your corporate name can not suggest, for example, that you are a branch of the government or that you offer services or products governed by financial legislation, such as trusts, loans, insurance, and banking.

The second type of unacceptable term is one that falsely describes your business. You cannot, for example, include term that suggests that your company is selling cars when it is really selling only tires.

Finally, obscene term or term that suggests that your business provides obscene, scandalous or immoral services are not allowed.