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BUSINESS

IN BOX

LLC filing often pact with state

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Special to The Times

Dear Karen: Is the filing for a limited liability company different from the fictitious business name registration?

Answer: Yes. They are two completely different things. A limited liability company is a legal form of business organization (similar to a corporation) governed by state statute. A fictitious name registration is a legal listing of the public name of a business.

State statutes regulate the corporate governance rights of LLC owners, how property is held, what authority they have to enter contracts, liability to third parties and tax issues, said Israel Kushnir, president of management consulting firm George S. May International Co. "LLCs are usually created by an agreement and filing with the secretary of state," Kushnir said. Talk to your accountant or attorney about which structure is best for your company.

A fictitious name registration, often called a "doing business as" notice, must be filed for businesses whether they operate as sole proprietors, corporations, partnerships or LLCs. Your DBA notice can be registered with the county clerk in Los Angeles County (www.lavote.net/CLERK/Business_Name.cfm) and Orange County (www.ocgov.com/recorder/jbnfiling.asp).