



Republic of the Philippines
DEPARTMENT OF TRADE AND INDUSTRY
BUREAU OF TRADE REGULATION & CONSUMER PROTECTION
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**DEPARTMENT ADMINISTRATIVE ORDER NO. 7
SERIES OF 1995**

**SUBJECT: RULES AND REGULATIONS AMENDING CERTAIN
PROVISIONS OF DTAO NO. 80 SERIES OF 1982 AS
AMENDED BY DAO NO. 15 SERIES OF 1990**

Pursuant to Title X Book IV of the Administrative Code of 1987 and to more effectively implement the provisions of Act. No. 3883, as amended otherwise known as the Business Names Law, the following Rules and Regulations are hereby promulgated:

SECTION 1

Paragraph C, Section 1 of DTAO 80, s. 1982 is hereby amended to read as follows:

Cooperative name duly registered with the Cooperative Development Authority or name of any association or organization duly registered with any government agency and by law accorded juridical personality, which is used or signed in connection with its business on:

1. Any written or printed receipts, including receipts for business taxes, duties and fees and withdrawal of delivery receipts;
2. Any written or printed evidence of any agreement or business transactions; and
3. Any sign or billboard conspicuously exhibited in plain view in or at the place of his business or elsewhere, announcing his business

Any variation, modification, addition, subtraction, abbreviation or change in any of the words composing the true name of a person, corporation, partnership or cooperative, associations or organization accorded by law juridical personality shall constitute another name.

SECTION 2.

Section 3 Rule II of DTAO 80, s. 1982 is hereby amended to read as follows:

A.) Any natural person who is at least (18) years old or any juridical person who is not disqualified by any existing law or regulation to engage in business and who is using a firm name, business name or style as defined in Section 1 hereof, is qualified to apply for the registration of a firm name, business name or style by filing an application with the Bureau of Trade Regulation and Consumer Protection (BTRCP) or the Provincial Offices of the Department of Trade & Industry, hereinafter referred to as the Bureau/DTI Provincial Offices, in a form duly prescribed by the Director of the Bureau; Provided, however, that a juridical person already registered with the concerned government agency and using only such registered names may no longer register under the Business Names Law.

B.) BUSINESS NAME REGISTRATION EXEMPTED FROM NATIONAL VERIFICATION

B.1 The following Verification Acknowledgment Slip (VAS) of the applications for business names, firm or style will not be transmitted to the BTRCP for national verification. Upon receipt of it, the Regional/Provincial Offices shall proceed to process said business names and issue the corresponding Business Name Certificates. PROVIDED it complies with the guidelines in the processing of Business Name Registration (BNR) as provided in Section 6 Rule II of DTAO No. 80, series of 1982 and subject to the following conditions:

B.1.1 That the proposed business name for single proprietorship shall only contain the full name of the applicant or initials of his first name and middle name plus complete surname, and suffixes enumerated in B.1.3.

B.1.2 That the applicant of the VAS exempted business name shall submit an undertaking which stipulates that he shall agree to change his business name (BN) in case a nationally verified business name registrant with prior registration requests the change of the business name of said applicant because it is identical, similar or confusingly similar to his BNR.

Prior registration shall include the nationally verified BNR registered within the six (6) months period after the registration of the VAS exempt BNR. In this case, the DTI Provincial office will allow the change of BN at no cost to the VAS exempted registrant. After a period of six months from the date of registration, the VAS exempt BNR shall be included in the National Databank and shall be considered nationally registered BN.

B.1.3 That the proposed business name shall bear suffixes like dry goods, dried fish, sari-sari store, carinderia, canteen, kitchenette, eatery, fast food, beauty parlor, bakery, vulcanizing shop, welding/repair shop, mini enterprise, mini trading and mini grocery and other similar suffixes to be determined by the Director of Bureau of Trade Regulation & Consumer Protection (BTRCP).

B.2 All VAS exempted business names stated above shall be given a permanent registration number that shall be incorporated with their applied business name to differentiate the said establishment from another establishment that may have identical or similar name, and it shall be mandatory that said number be placed in the business sign board and official receipts. For this purpose, said permanent registration number shall be the original Business Name certificate number. This number shall be retained during renewal of Business Name Registration.

Example:

E.A. PARRONE SARI-SARI STORE
LAG-00001-95

C.) BUSINESS NAME REGISTRATION REQUIRING NATIONAL VERIFICATION

- C.1 BNR applications which do not use either the applicants complete name with the required suffix as stated in Sec.2,B.1.3 or first and middle name initials and complete surname with the required suffix as stated in Sec.2 B.1.3 have to apply for a National Verification.
- C.2 BN applications not covered by Business Name VAS exemption will be required national verification.

D.) OPTION TO APPLY FOR NATIONAL VERIFICATION

D.1 BNR application which shall use the applicants full name or first and middle name initials with complete surname, in both cases with the required suffix as provided in Section 2 B.1.3 have the option to apply for a National Verification.

SECTION 3

Section 12, Rule VI of DTAO 80 s. 1982 is hereby amended to read as follows:

Any person, whether natural or juridical, whose firm name, business name or style has expired and failed to renew the same within six(6) months from its expiration, shall be canceled from the record upon publication of notice in a newspaper of general circulation.

Any violation of the undertaking submitted by BN VAS exempted applicant and violation of any preceding rules and regulations, shall be a ground for cancellation of the BNR.

SECTION 4

Section 4. of this DAO repeals all inconsistent provisions of Memorandum on VAS exemptions dated September 8, 1988.

This Department Administrative Order shall take effect fifteen (15) days after publication in two (2) newspapers of general circulation.

Makati City, 27 July, 1995


R. S. NAVARRO
SECRETARY

Recommended by:


JESUS L. MOTOOMULL
Director, BTRCP