



REGISTERING YOUR U.S. COMPANY IN CANADA

NAMING RULES

When registering a U.S. company in Canada, you'll first need to verify that the company can use its name. As is true of registering in another U.S. state, each province has its own quirks and requirements. However, Canadian rules regarding name usage and availability are generally stricter than in the U.S.

Here are the naming rules you'll need to follow before you register.

RULE 1 PROHIBITED WORDS

The company name can't imply it's another type of entity, government agency, or company already in existence.

RULE 2 DISSOLVED COMPANY NAMES

These names are deemed to conflict, even years after the company became inactive.

For example:

*In **Alberta**, the name can't be identical unless the company has been dissolved more than 6 years.

*In **Saskatchewan**, the provision goes back 10 years.

RULE 3 CONSENT

A provision allowing a company to obtain consent to use a similar name may **not** be in a province's statute. If it is, the consenting company must change its name or dissolve within a given time period.

For example:

*In **Alberta**, the consenting company will need to consent right away (written and dated) to amend all titles and registrations within 6 months.

RULE 4 NAME MUST REFLECT PURPOSE

In some provinces, the company name must clearly identify the purpose of the company. This is generally not the case with extra-provincial companies.

For example:

***Saskatchewan** requires both a descriptive and distinctive element to the name, and the provincial corporate administrator can decide that the name is not descriptive enough.

RULE 5 FRENCH LANGUAGE REQUIREMENTS IN QUÉBEC

A company must use the French version of its name to register, and anywhere the name is displayed in Québec. The rule only applies to Québec registrations. In most other provinces, a company can opt to include or exclude it.

For example:

*In **Alberta**, a company is prohibited from using a french name equivalency unless it has a French certificate issued by the home jurisdiction's government that goes in tandem to its English certificate.

THE BOTTOM LINE

Taking the proper steps to check whether your company's name is available will help ensure a smoother registration process. **Keep in mind, these rules may vary by province.** Consulting with an attorney who is well versed in Canadian law can help you save time and avoid issues.

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