

Business Names

What is a business name?

A business name is a name or title under which a person or entity conducts a business. It not only identifies you to your customers, but also allows you to differentiate yourself from your competitors and enables your customers to make an emotional connection to your business and brand. For many businesses, the name is often the most valuable asset.

In Australia, unless you fall within an exemption, you must register your business name. From 28 May 2012, a new National Business Names Registration System will commence. The purpose of the register is to provide a way to identify the entity that is carrying on business under a business name.

When do I need to register a business name?

Generally, you will need to register a business name if you carry on a business or trade within Australia and you are not trading under your own entity name.

You do not need to register a business name if the entity is, for example:

- an individual and the business name is the individual's name (their first name and surname)
- a registered company and the business name is the company's name, or
- a partnership and the business name consists of all of the partners' names.

The law does not allow any changes from the business holder's name if you wish to rely on the above exemptions. For example, if your name is John Smith, and the name of your business is 'John Smith & Co', you will need to register the business name 'John Smith & Co'.

It is always a good idea to register the name to protect you and your business name from someone else using it.

For further queries regarding business names or to register a business name, please contact our office.