



TRELLIS

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Time to form your business! But, does your biz name need approval first?

DISCLAIMER: This outline is a general guide. Be sure to contact an attorney if you have questions or specific issues that need to be addressed.

When writing your business plan, one of the first decisions you'll make is choosing a name. While most businesses can simply check for name availability on the Pennsylvania Department of State's online database and register without further steps (however, looking into trademark considerations is always recommended too!), certain industries and business types require **governmental approval of the name** before formation. Below are some common industries which need name approval, however we always recommend researching the requirements or reaching out to an attorney to ensure your specific business name does not require pre-approval.

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- 1. Distilleries and Alcohol-Related Businesses:** Distilleries, breweries, and wineries must follow state and federal regulations regarding their name before they can register their business in Pennsylvania:
 - **Federal Licensing Requirements:** Distilleries must obtain a permit from the Alcohol and Tobacco Tax and Trade Bureau (TTB) before they can operate to ensure the name complies with federal regulations.
 - **Pennsylvania Liquor Control Board (PLCB):** The PLCB oversees the production, distribution, and sale of alcoholic beverages in PA. Distilleries must secure approval from the PLCB for their operations, including a review of the business name to prevent consumer confusion.
 - 2. Banks and Financial Institutions:** Names including terms like "bank" or "trust" require approval from the Pennsylvania Department of Banking and Securities.
 - 3. Professional Corporations:** Certain professions, such as counseling or medicine, require compliance and approval from the relevant licensing board. A few more specific examples are:
 - Psychologists and lawyers must ensure their business name aligns with Pennsylvania's Board of Psychology guidelines and PA Rules of Professional Responsibility, respectively.
 - Licensed Social workers must get their name approved by the State Board prior to filing (LPCs do not).

- Medical professionals, including doctors and nurse practitioners, must obtain approval from the Pennsylvania State Board of Medicine. There is also more compliance needed around using terms similar to "clinic," "medical," or "health."
 - Other professional entities may need approval from their state board or governing organization so it's important to look at your governing regulations if you're a lawyer, accountant, mental health professional, etc.
4. **Architects:**
 - a. Architects have to get their name approved by the State Board of Architecture before filing their entity.
 5. **Educational Institutions:** Names containing words like "university" or "college" need approval from the Pennsylvania Department of Education.

Steps for Ensuring Compliance

If your business operates in one of the above industries (or you believe it may), follow these steps to ensure your name complies with state and federal requirements:

1. **Conduct a Name Search:** Use the Pennsylvania Department of State's online database to check availability. Likewise, if you are changing your business name, take these steps: [steps](#) in addition to the search.
2. **Review Industry-Specific Requirements:** Consult the relevant state or federal agency's guidelines for name approval.
3. **Submit Necessary Applications:** Obtain approval from the relevant state or federal agency before filing your business formation documents. When you go to file your entity, you will need to upload a copy of this approval in order for them to process it. Sometimes when you go to file it will even flag for you that an approval is required before continuing with the application.

Choosing a name for your business is an exciting first step, but it's important to ensure your name complies with all applicable regulations. If you have questions about whether your business name needs pre-approval, please contact us! Additionally, once you have the name selected, consider a [trademark](#) to secure the name and brand!