

esquire avet *

A Publication of Esquire Assist
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August 16, 1996

PennDOT Relocation

This month we will see the relocation of PennDOT office to a new temporary building located well outside of the downtown Harrisburg area. esquire assist will still provide PennDOT services, however we are uncertain how those services will be affected by this move. We fully expect to be able to provide the same day or next day service that we presently do for address verifications, vehicle ownership and driver information. We also fully expect that obtaining insurance information will continue to take 4-6 weeks if not worse. Who says the more things change the more they stay the same. It certainly was not someone who had to deal with PennDOT on a regular basis.

Tale of Rejection:

Many of our clients know that one of the primary reasons for using esquire assist for filing documents is to each the sting of rejection. esquire assist does not claim to be able to prevent rejections, although we can and do weed out a number of potentially rejectable problems on many documents. The real story comes when a document is rejected. If you send the filing in directly, it may be several days (if not more) before you know about the rejection. When a document is filed through esquire assist you know about a rejection almost as fast as the State does. You see, we visit the Corporation Bureau around 5 times a day and rejections by the Bureau of any document we filed is place in our folder at the reception desk. Upon return to the office we fax all approvals and rejections to the client immediately. We then work with you to correct any problem and to assure the prompt resubmittal of your document. A handy checklist of reason why documents might be rejected is contained on the inside portion of this newsletter. We hope you keep and refer

to it often. And as always, please call our office if you have any questions about the proper format for document filing.

esquire assist filing faxts

Some little know facts about the filing service provided by esquire assist follow:

1) Corporate documents may be faxed to our office for filing --- NO ORIGINAL SIGNATURE IS NEEDED.

2) Our charge for filing documents is \$5.00 less if you send the document to us with your firm check for the filing fee (this service is usually used where time is not of the essence).

3) For documents received prior to our 3:30 p.m. trip to the Corporation Bureau, we check the State's computer records for potential name conflicts. We probably catch 90-95% of name problems. Some do get through however and it is for this reason that we urge you not to rely upon the date stamped copy. Please wait for the "approved" copy to be faxed to you (around 1-3 days after submission).

4) UCC filings must contain original signatures and any attachments must be clearly legible. If they have words and print that cannot be read the filing will be rejected. Rejected UCC filings do not hold the original submission date as many corporate filings do.

5) We can often suggest ways to overcome potential problems. For highly important filing, you might think about obtaining a name reservation in advance so you can expedite the filing when needed. Talk to Tony for more information.

HANDY ANTI-REJECTION HINTS INSIDE

ANTI-REJECTION HINTS

NAME CONFLICTS:

Use names that are unique but when not possible, remember these rules:

1) An added word here or there may clear a conflict, i.e. Pickled Perfection, Inc. does not conflict with Pickled Perfect because the names are not the same. However, the following names are the same Pickled Perfection, Inc. and Pickled Purfection, Inc.

because they are phonetically the same. In the case of a phonetic similarity, you can use different designators and clear the conflict, i.e. Pickled Perfection, Inc. and Pickled Purfection, Ltd.

2) A number placed in front of the name will clear a conflict but a number after the name is irrelevant. For instance: Backups, Inc. is a Pa. corporation. Your client would like to file Backups II, Inc. This name will conflict with the existing name. However if you place the number in front of the name the conflict should be cleared, i.e. "Two Backups" or

"II Backups, Inc."

3) Geographic designators: Very Important
Suppose that "Igor's Flowers, Inc." is an existing Pa. Corporation. Your client, who is also named "Igor" would like to form a corporation in his town by the same name. You suggest "Igor's Flowers, Inc. of Hometown. Where did you go to law school is the first question the Corporation Bureau will ask. For domestic business corporations the words "of Hometown" are irrelevant. For two non-profit corporations those same words will clear a conflict.