

Sophia's Knowledge

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How To: Become a DBA In Iowa

You like your name. It reflects your family heritage. But it really doesn't reflect your business. What about a DBA or "Doing Business As" name?

As a country that treasures individual initiative, we make it easy to go into business as a sole proprietorship or partnership.* As long as the business is operated using the true surname(s) of the owner(s), the business name need not be registered. This is because your customers can quickly know the person or persons responsible for the actions of the business.

But when you assume a DBA, it is harder for people to identify the responsible party. So Iowa law requires that when a person or partnership does business using a trade name (sometime called DBA, or fictitious name) that the business name be filed.**

Filing is simple and done by county recorder in the county where the business is based. The county provides the form which needs to be notarized (or "verified" in the law). And the cost is low: currently \$7 for 1st page and \$5 for each additional page.

Some county recorders make forms available on their Web site. You can link to them through <http://www.iowacounties.org> or the Polk County Recorder's site <http://recorder.co.polk.ia.us/links.htm>.

Remember, the purpose of the filing is to inform the public who owns the business. Filing does not give you any legal ownership or proprietary rights to the name. So you might want to check out the use of a trademark or service mark with your legal advisor.***

* For more information on common business organizational forms in Iowa, see the Iowa Secretary of State's Web site at <http://www.sos.state.ia.us/business>. Because of the many tax and legal consequences of your choice of business organization form, talking with your attorney is advisable.

** Iowa Code §527.

*** See Iowa Secretary of State. "What is a Trademark or Service mark?" <http://www.sos.state.ia.us/business>

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The State of Iowa takes this filing requirement seriously. The Iowa Code provides a penalty, if convicted, of \$25-\$100 fine or up to 30 days in jail for each of "offense" -- each day in violating.****

Additional Resources:

Iowa Department of Economic Development. "Iowa Life Changing – Business," <http://www.iowalifechanging.com/business/startup.html>.

Polk County Recorder. <http://recorder.co.polk.ia.us>.

Iowa Secretary of State. <http://www.sos.state.ia.us/business>

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Naming Consideration

"Your name is your first step toward building a strong company identity, one that should last you as long as you're in business."

--- Rieva Lesonsky and the staff of Entrepreneur Magazine

The staff of Entrepreneur Magazine gives the some things to consider in selecting your business name:

- Start by knowing what your business is

**** Iowa Code §527.4 & §527.5.

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- Your name should be meaningful and convey your expertise, values and uniqueness your products or services
- Look at your competition and try to set yourself apart
- Think about the future – you want your name to grow with you.
- Make sure the name is pronounceable and not too long
- Stay away from cute puns that only you'll get
- Don't use "Inc." unless your business is actually incorporated.

Lesonsky, Rieva [Editorial Director] and Staff of Entrepreneur Magazine. Start Your Own Business: The Only Start-Up Book You'll Ever Need. 3rd ed. Entrepreneur Press. 2004. 109-113.

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