NATIONAL ADMINISTRATIVE REGISTER · NOVEMBER 28, 1990

# Rules and Regulations Amending Certain Provisions Of Dtao No. 80, s. 1982

*DTI ADMINISTRATIVE ORDER NO. 15, November 28, 1990*

Read online (full-text search, related cases, audio case brief): https://batas.org/library/4d9be0a12100/

Pursuant to Title X, Book IV of the Administrative Code of 1987 and to more effectively implement the provisions of Act No. 3883, as amended otherwise known as the Business Names Law, the following Rules and Regulations are hereby promulgated:

SECTION 1. Section 1, Rule 1 DTAO No. 80, series of 1982 is hereby amended to read as follows:

> "Section 1.For purposes of these Rules and whenever used herein, the term "Business Name, Firm Name, or Style" means any name other than:

- the true name of an individual; or

- the corporate name of the corporation (private or government owned or controlled) or name of partnership, duly registered with the Securities and Exchange Commission; or

- Cooperative name duly registered with the Bureau of Cooperative Development, which is used or signed in connection with his/ its business on:

1. any written or printed receipts, including receipts for business taxes, duties and fees and withdrawal or delivery receipts;

2. any written or printed evidence of any agreement or business transactions and

3. any sign or billboard conspicuously exhibited in plain view in or at the place of his business or elsewhere, announcing his business.

Any variation, modification, addition, subtraction, abbreviation, or change in any of the words composing the true name of a person, corporation, partnership, or cooperative, constitutes another name."

SECTION 2. Section 3. Rule II is hereby amended to read as follows:

"Section 3. Any natural person who is at least twenty-one years old or any juridical person who is not disqualified by any existing law or regulation to engage in business and who is using a firm name, business name or style as defined in Section 1 hereof, is qualified to apply for the registration of a firm name, business name, or style by filing an application with the Bureau of Trade Regulation and Consumer Protection or the Provincial Offices of the Department of Trade and Industry, hereinafter referred to as the Bureau/DTI Provincial Offices, in a form duly prescribed by the Director of the Bureau; Provided, However, That a juridical person already registered with the Securities and Exchange Commission and using only such corporate/partnership name may no longer register under the Business Name Law.

SECTION 3. Section 6 of Rule II is hereby amended to read as follows:

> "Section 6. The application for a firm name, business name, or style shall be accompanied by the following documents:



Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

- If the applicant is a natural person, he must submit two passport-size pictures of himself which were taken not later than one year preceding the filing of such application.

- If the applicant is a corporation or partnership, it must submit certified true or xerox copies of the Articles of Incorporation or partnership and certificate of registration with the Securities and Exchange Commission. In case of renewal registration, SEC certificate, and Articles of Incorporation may be waived provided there was no amendment to the Articles of Incorporation or partnership, and provided further, that certification to that effect shall be submitted to the Department.

- If the applicant is not a citizen of the Philippines, he must submit, in addition to his two passport-size pictures, a xerox copy of his Alien Certificate of Registration, and his registration with the Board of Investments. If he is a manufacturer or processor whose capital is not more than P5 ,000.00, he must submit a xerox copy of his permit to engage in retail trade for the current year issued by the proper authorities.

- If the applicant has acquired Filipino citizenship by naturalization, election, or by any other means as provided by law, he must submit proof of his Filipino citizenship.

- If the stock of goods, wares, merchandise, provisions, or materials were acquired by purchase, donation, mortgage, assignment, or other modes of transfer, by the applicant not in the ordinary course of trade and the regular prosecution of the business of the vendor, donor, mortgagor, assignor, or transferor, he must also comply with the provisions of Act No. 3952 as amended, otherwise known as the Bulk Sales Law.

- Such other documents as the Director may require from time to time to protect the interest of the government and the public.

SECTION 4. Section 11, Rules V is hereby amended to read as follows:

> "Section 11. The following names, firm names, or styles shall not be registrable:

- those which are or whose nature of business are illegal, immoral, scandalous, or contrary to propriety as well as those that are inimical to the security of the State;

- those which so nearly resemble a business name, firm name, or style previously registered with the Department of Trade and Industry, the Securities and Exchange Commission, or any other government office authorized by law to register names or styles, as likely to cause confusion or mistake in the minds of the public and prejudice the interest of the owner of the registered business name, firm name, or style taking into consideration the following:

1. nature of the business

2. product/services handled

3. location/place of business

4. capitalization

5. general appearance, spelling, sound, and meaning

6. use of dominant/descriptive words

7. such other factors as maybe determined by the Secretary of Trade and Industry.

However, the registered owner of firm name, business name, or style may allow the registration or use of the same by other persons or entities by means of a franchise agreement entered into by and between parties. Such agreement shall undertake to guarantee compliance with certain standards of quality of the products offered or the


Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

services rendered as established by the owner who grants the franchise.

- names style which by law or regulation cannot be appropriated;

- names, words, terms, or expressions used to designate or distinguish, or suggestive of quality of nay class of goods, articles, merchandise, or service;

- names or styles used by the government in its official non-proprietary functions;

- the names or abbreviations of names, of any nation, intergovernmental or international organization, unless authorized by the competent authority of that nation, inter-governmental or international organization;

- names which misrepresent the nature of the business;

- such other names and styles which, in the opinion of the Secretary or Director or their authorized representatives, are analogous to the above."

SECTION 5. Section 12. Rule VI is hereby modified to read as follows:

> "Section 12. After due notice and hearing, a certificate of registration of business name or style issued by the Bureau may be revoked or cancelled on the following grounds:

- Registration of firm name, business name, and style mentioned in the provisions of Section 11 hereof;

- Making any false statement in the application for registration of the firm name, business name, or style;

- Firm names, business names, or styles which were not used publicly or exposed on a signboard in plain view of the public by the registrant within a period of ninety (90) days from the date of registration, or non-use thereof;

- Cancellation or revocation of any license or permit to engage in the business by any authorized government agency, or change in the line of business which does not conform with the registered business name or style;

- Registration of those which may be used un a manner that will endanger the security of the State;

- Use of the business name or style for an immoral or illegal purpose or in a business found to be involved in immoral or unlawful activity; and

- Failure to operate the business within a period of six (6) months from registration of the business name.

Section 12 (a). Any person, whether natural or juridical, whose firm name, business name or style has expired and failed to renew the same within six (6) months from its expiration, shall be cancelled from the record upon publication of notice in a newspaper of general circulation.

SECTION 6. Section 13, Ruled VII is herby modified to read as follows:

> "Rule VII, Registration of Branch Office, Change of Address or Lines of Business or Additional Line of Business
>
> "Section 13. The certificate of business name registration shall be valid only at the business address indicated thereon. In the event the registered owner thereof should opt to open branch offices within the Philippines, he must apply for separate registration for each of the branch offices so established.

The registered owner of any firm name, business name, or style shall advise in writing the appropriate Provincial/Regional Directors of the Department of Trade and Industry of any change of his/its address or line of business, or any line of business which he/it may add to his/its business, within ten (10) days from the date such change of addition had been made."


Study hands-free: podcast-style lessons with read-along highlighting - batas.org

SECTION 7. These rules and regulations shall take effect immediately upon publication in two newspaper of general circulation.

Adopted: 28 Nov. 1990

**(SGD.) JOSE S. CONCEPCION, JR.**

Secretary

ABOUT BATAS.ORG

# Study smarter at BATAS.org

*The Philippine bar review and law-school companion built around how your brain actually remembers.*

### The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

### Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

### Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

### The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

### Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

### A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

**Start free at https://batas.org**

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.