

Cherokee Nation Code Annotated

Title 18: Corporations

Chapter 1: Cherokee Nation General Corporation Act

Article 16: Miscellaneous Provisions

§ 141. Prohibition on use of name or indistinguishable names—Exceptions

Cite as: 18 CNCA § 141

The Office of the Principal Chief or his authorized representative shall not accept for reservation or filing a statement or certificate containing a name which is the same as or indistinguishable from the name of any business entity, as defined in 18 CNCA § 15, trade name, fictitious name, or reserved name filed with the Office of the Principal Chief or his authorized representative unless one of the following is filed with the Office of the Principal Chief or his authorized representative:

1. The written consent of the business entity or holder of the trade name, fictitious name, or reserved name to use the same or indistinguishable name with the addition of one or more words to make that name distinguishable upon the records of the Office of the Principal Chief or his authorized representative, except that the addition of words to make the name distinguishable shall not be required where the written consent states that the consenting entity is about to change its name, cease to do business, withdraw from Cherokee Nation, or be wound up;
2. A certified copy of a final decree of a court of competent jurisdiction of Cherokee Nation establishing the prior right of the business entity or holder of a reserved name, trade name, or fictitious name to the use of the name in Cherokee Nation;
3. In the case of any foreign business entity having a name prohibited by this section which intends to qualify to transact business within Cherokee Nation, a resolution adopting a fictitious name not prohibited by this section, which shall be used to the exclusion of its true name when transacting business within Cherokee Nation.

Historical Data

LA 16–96, eff. July 15, 1996.