Entrepreneurship Clinic Research Training

Michele Knapp
Reference Librarian
mknapp@sandiego.edu
619.260.4532
Legal issues for businesses

- Issues arising during business formation
  - Create business plan
  - Find and register business name
  - Structure business entity
  - Site selection, zoning, permits & licenses
- Employment
  - Basic labor laws
  - Civil rights
  - Immigration
Legal issues for businesses

- Issues arising for established businesses
  - Zoning, permits & licenses
  - Taxation
    - Business – income, sales & use
    - Employees – income, unemployment, workers’ compensation, social security, disability
- Employment
- Intellectual property
Resources

- Government websites – city, county & state
- Other local resources
- Treatises and practice guides
- Databases
  - CEB OnLaw
  - Bloomberg Law
  - Practical Law (Westlaw)
Forms, Fees and Services

- LLC/Partnership Tax
- Get Corporate Forms
- Search for a Business Entity
- Details on How to Submit an Order
- File a UCC
- Get Fees
- Check Entity Name Availability
- Find Out How to Expedite Your Order
- File Annual Franchise Tax Report
- Check Entity Status
- Order a Good Standing Certificate
- How to Form a New Business Entity

More than one million business entities take advantage of Delaware’s complete package of incorporation services, including modern and flexible corporate laws, our highly-respected Judiciary and legal community, a business-friendly government, and the customer-service-oriented staff of the Division of Corporations. You can also stay current on Delaware Corporate Law and explore more reasons why you should incorporate in Delaware.
City of San Diego

- Doing Business
- Economic Development
- Start, Expand & Finance Your Business
- Industry Incentives
- Business Start-up Resources
- Industry Associations
- Office of the City Treasurer
Doing Business
Fix, Plan + Build

Incentives and programs are available to help launch, grow and expand your business, and provide support for homeowners and contractors to get work done.

Get It Done

1. I Need To...
   Apply for

2. Apply...
   Business License

3. Apply Now
   Apply for a business tax certificate
   Apply Now

Download the Get It Done App

Plan

Start a Business
Find regulations and documents needed to build your company in the City of San Diego

Bid on a Contract
Become a vendor for the City and bid on current or future projects

Explore Incentives
Find resources and funding to grow your business
Fix

Set Up Utilities
Establish water and sewer services and understand your bill

Renovations and Remodels
Learn about the construction process for homeowners, including zoning, permits and inspections

Get Permits
Submit permits online for gas, electrical, mechanical and plumbing projects

Build

Go Green
Incorporate energy-efficient and water-saving practices into your business operations

Learn about Zoning
Find zoning designations according to the City’s Land Development Code

Track Your Project (OpenDSD)
View permit activity and search project status by name or address
Quick Links:

- Business Improvement Districts
- Community Parking Districts
- Maintenance Assessment Districts
- Tourism Marketing District

Forms:

- Special Assessment Refund Claim Form (PDF)
- Business Finance Loan Application (PDF)
- Storefront Improvement Program Application
- FY17 Econ. Dev. and Tourism Support Funding Application
- FY 2017 SBEP Citywide Grant Application and Guide (PDF)
- Citywide Economic Development Support
Office of the City Treasurer

Gail R. Granewich
City Treasurer

1200 Third Ave., Suite 100
San Diego, CA 92101
619-236-5112
Fax: 619-236-7134

Features

- Short-Term Vacation Rentals
- Electronic Billing Statements Now Available
- Efficiently Managing Public Funds

Apply for a Business Tax Certificate
List of Registered Businesses
Rental Tax Exemptions
Appeal a Parking Citation
Obtain Business Start Up Information
Online Payments

- Business Tax Online
- Rental Tax Online
- Parking Citation Online (Pay Cite)
  - View Pay Cite Frequently Asked Questions
- TOT/TMD Fees Online
- Delinquent Account Online
- Water & Sewer Bill Online
  (Customer Care Center)

NOTE: In addition to online payments, other payment methods are available. Past due accounts that have been referred to the Office of the City Treasurer for collection can only be paid through the Delinquent Accounts Program.

City Taxes and Fees

- Business Tax/Rental Unit Business Tax
- Transient Occupancy Tax (TOT)/Tourism Marketing District (TMD)

Other Agency Taxes

These other agency taxes are NOT administered by the City of San Diego.

- Sales and Use Tax
- Property Taxes
- Income and Payroll Taxes
- Federal Taxes
San Diego County business resources

- Business Licenses & Permits
- Fictitious Business Names
- Tax Information
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**COUNTY NEWS CENTER**

- County to Hold Public Climate Action Plan Workshops Monday, Tuesday
- Two-Card Ballot for Nov. 8 Election
- County to Spray Skyline Neighborhood for Mosquitoes in Travel-related Zika Case

**Popular Services**

- Jobs
- Child Support
- County Library
- Parks
- Medi-Cal
- Property Taxes

**Board of Supervisors**

- Board Home Page
- Find My District
- Agendas
- eComment
- Board Meeting Video

**SDCountyInFocus**

- A quick and easy guide to County information

**Emergency Preparation**

- Emergency Site
- ReadySanDiego.org
SanDiegoCounty.gov

I WANT TO...:

APPLY:
- Jobs
- Mail Ballot
- CalFresh (Food Stamps)
- Medi-Cal
- Rental Assistance (Section 8)
- Public Housing
- Marriage License
- Dog License
- Fictitious Business Name
- Passport

PAY:
- Child Support
- Property Tax
- Revenue and Recovery Bill

REPORT:
- Child Abuse
- Elder Abuse
- Animal Abuse
- Graffiti
- Pothole or Road Problem
- Airport Noise
- Tobacco Complaints
- Noise
- Food Sanitation Complaints
- Rental Assistance Fraud
- Discrimination by the County

GET A COPY:
- Birth Certificate (Last 24 Months)
- Birth Certificate (Earlier)
- Marriage Certificate
- Death Certificate
- Property Tax Bill
- Parcel Map

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FICTITIOUS BUSINESS NAMES

- WHAT IS IT?
- WHEN IS IT REQUIRED?
- FILE IN PERSON
- FILE BY MAIL
- SEARCH ONLINE
- SEARCH IN PERSON
- SEARCH BY MAIL
- ONLINE FORMS
- ORDERING COPIES OF A FILED FBN

WHAT IS IT?

This section will tell you how a Fictitious Business Name is defined, as well as who should file a Fictitious Business Name Statement.

The Definition of Fictitious Business Name is:

A business name that DOES NOT include the surname of the individual owner, AND EACH of the partners or the nature of the business is not clearly evident by the name.

For example:

Doing business under a name like:

   Eisenberg & Yandall Associates
   or
   Eisenberg & Yandall Sons

would require a Fictitious Business Name be registered, even though the surname of the owner is stated, the words following the surname suggest other owners that are not specifically named.

HOWEVER, doing business under a name like:

   Teresa Fiske Plumbing
California Sec of State Business Programs
- Starting a Business
- Tax Information

Governor’s Office of Business and Economic Development
- Form a Business
- Small Business Program
- CalGold – identifies necessary permits
Business Programs

Hot Topics
1. E-File Statements of Information for Corporations
2. Register or Terminate a Business
3. Corporate Filing Tips
4. Limited Liability Company Filing Tips
5. Forms, Samples and Fees for Business Entities
6. Copies and Certificates of Status for Business Entities (PDF)
7. Processing Times for Business Filings
8. Business Search
9. Delinquency and Penalty Notices
10. Suspension/Forfeiture Notices

California Business Connect Project

Business Entities
The Secretary of State's office processes filings, maintains records and provides information to the public relating to business entities that include corporations, limited liability companies, limited partnerships, general partnerships, limited liability partnerships and other business filings.
More about Business Entities

Uniform Commercial Code
The Secretary of State's office is the central filing office for certain Uniform Commercial Code financing statements and other lien documents including notices of judgment liens, attachment liens and federal and state tax liens. Filing with our office serves to perfect a security interest in named collateral and establish priority in case of debtor default or bankruptcy.

Trademarks and Service Marks
The Secretary of State's office maintains registration and all updates of California state trademarks and service marks, container brands, laundry marks and the names of farms, ranches, estate or villas.
More about Trademarks and Service Marks
Business Entities

News & Notices, Customer Alerts and Processing Times

- **News & Notices**: Get the latest information about changes affecting business conducted with the Business Programs Division.
- **Customer Alerts**: Get the latest information about confirmed scams against Californians and businesses in the State of California, and what you can do if you have been a victim of a scam.
- Get the current [processing times for Business Entities](#) and determine which method of submission meets your needs.

Online Processing

The required Statement of Information for most corporations can be submitted electronically and is processed generally in one business day. A free PDF copy of the file Statement of Information will be returned electronically following confirmation of payment. If an email address is provided at the time of submission. Additional plain copies and certified copies may be requested at a later time by mail or in person (drop off). Refer to Information Requests for information about obtaining additional copies.

Note: Statements of information for limited liability companies and common interest developments must be submitted on paper, by mail or in person (drop off), at this time.

The Business Entities Section of the Secretary of State’s office processes filings, maintains records and provides information to the public relating to business entities (corporations, limited liability companies, limited partnerships, general partnerships, limited liability partnerships and other business filings).

- **Service Options**: Options for online searches and filings, document processing and information requests (for certificates, copies and status reports)
- **Name Availability**: Corporation, limited liability company and limited partnership name availability inquiries and reservations
- **Forms, Samples & Fees**: Forms, document samples and associated fees
- **Statements of Information** (annual/biennial reports): Corporation and limited liability company statements of information, common interest development association statements and publicly traded disclosure statements
- **Filing Tips**: Tips for filing most corporation, limited liability company and limited partnership documents
- **Information Requests**: Orders for certificates, copies and status reports
- **Service of Process**: Substituted service of process
- **FAQs**: Answers to the most frequently asked business entity questions
- **Victims of Corporate Fraud Compensation Fund**: Restitution to victims of corporate fraud

General provisions governing most business entities are found in the [California Corporations Code](#).
Forms, Samples and Fees

Select the applicable entity type from the list below. Fees for all business entity filings and services can also be found on the Business Entities Fee Schedule (PDF).

- Corporations
- Limited Liability Companies
- Limited Partnerships
- General Partnerships
- Limited Liability Partnerships
- Other Business Filings
  (Unincorporated Associations, Foreign Lending Institutions, Foreign Partnerships [other than foreign limited partnerships], and Foreign Associations [foreign business trusts])

- Business Entities Records Order Form (PDF)
  (Use this form to order certificates, copies of filed documents and/or a status report)

California (domestic) Corporations
Foreign (out-of-state or out-of-country) Corporations

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<th>California Corporations (Filing Tips)</th>
<th>Fees</th>
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<td>1. Articles of Incorporation - General Stock (Form ARTS-GS) (PDF - REV 03/2014)</td>
<td>$100.00</td>
</tr>
<tr>
<td>2. Articles of Incorporation - Close (Form ARTS-CL) (PDF - REV 03/2014)</td>
<td>$100.00</td>
</tr>
<tr>
<td>3. Articles of Incorporation - Professional (Form ARTS-PC) (PDF - REV 03/2014)</td>
<td>$100.00</td>
</tr>
<tr>
<td>4. Articles of Incorporation - Nonprofit Mutual Benefit (Form ARTS-MU) (PDF - REV 05/2013)</td>
<td>$30.00</td>
</tr>
<tr>
<td>5. Articles of Incorporation - Nonprofit Public Benefit (Form ARTS-PB-501(c)(3)) (PDF - REV 09/2013)</td>
<td>$30.00</td>
</tr>
<tr>
<td>6. Articles of Incorporation - Nonprofit Religious (Form ARTS-RE) (PDF - REV 05/2013)</td>
<td>$30.00</td>
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</tbody>
</table>
Starting a Business

When starting a new business, there are many important decisions to make and many rules and procedures that must be addressed. While there is no single source for all filing requirements, the following steps have been developed to assist you in starting your business.

Step 1

It is helpful to begin with a business plan. A business plan is a blueprint of every aspect of your business. Sales, Marketing, Advertising, Promotion and Location are just some of the categories to consider when creating a plan. Go to the U.S. Small Business Administration website to find a tutorial on how to create a business plan.

Step 2

If you would like help deciding on a location for your business, contact the California Business Investment Services unit of the Governor’s Office of Economic Development (GO-Biz). The California Business Investment Services unit provides tailored site selection services for businesses, real-estate executives, and site selection consultants.

Step 3

Choose a business structure. Select a business entity type from the following list for a brief overview of the principal types of legal business structures available in California. Private legal and tax advisors should be consulted before making a determination as to the type of business entity to form.

- Corporation
- Limited Liability Company
- Limited Partnership
- General Partnership
- Limited Liability Partnership
- Sole Proprietorship

Step 4

Your next step will be to file your tax and employer identification documents.

Step 5

Most businesses require licenses or permits in order to operate. Please click on each link below to determine if your business requires any licenses or permits.

- CalGOLD (California Government: On-Line to Desktops)
- Department of Consumer Affairs

Disclaimer: The information and links to various websites, including various non-governmental sites, are provided for your convenience. The information on this website is constantly updated, however, there may be omissions or additional requirements.
This website assists you in finding appropriate permit information for your business. It also provides contact information for the various agencies that administer & issue these permits.

Select a City or County:
- San Diego - San Diego County

Enter Business Type(s):
- Computer Systems Design and Related Services

Interested in having a green business? Learn more about green businesses.

Search
Business permits and other requirements in the City of San Diego (San Diego County) for business types:
- Computer Systems Design and Related Services

**Building and Construction Permits - City**
Required for all new and remodeling construction, including change of occupancy.

**Business License - Business Tax Certificate**
Required for all entities doing business within city limits. See "County Unincorporated" for businesses located outside of city limits.

**Fire Safety Regulations**
Every business is subject to an annual inspection of the facility for conditions as required in the Uniform Fire Code. In addition, many Fire Departments offer informative Fire Safety Programs (i.e. disaster preparedness, fire prevention, public safety education/awareness).

**Land Use, Zoning, & Sign Permits**
Permitted uses, development regulations, zone change, variance, and conditional use permit:
2016 CA-China Clean Tech Trade Mission
The GO-Biz was created by Governor Edmund G. Brown Jr. to serve as California's single point of contact for economic development and job creation efforts. GO-Biz offers a range of services to business owners including: attraction, retention and expansion services, site selection, permit assistance, regulation guidance, small business assistance, international trade development, assistance with state government, and much more.

Visit the California Business Portal for business resources and more information.

GO-Biz Units and Programs

- Business Investment Services
- California Business Portal
- California Competes Tax Credit Program
- CA Made
- International Affairs and Business Development
- Innovation and Entrepreneurship
- Office of Small Business Advocate
- Permit Assistance
- Zero Emission Vehicles Program

Affiliated Programs

- California Film Commission
- California Infrastructure and Economic Development
- California Travel and Tourism
The Office of Small Business Advocate (OSBA) provides information and assistance to small businesses to help them succeed in the California marketplace. OSBA hosts a variety of summits, forums and interagency meetings. It also maintains a comprehensive list of resources for small business technical assistance, financing and state procurement.

Services Offered

Visit the California Business Portal for resources and information to get your business up and running.
Municipal and County Codes

- San Diego Municipal Code
- San Diego County Code
- Municode: other California cities
- American Legal Publishing – a few other California counties
Treatises & Practice Guides
Corporations

- Marsh’s California Corporation Law | WL
- California Practice Guide Corporations | WL
- California Corporation Laws | Lexis
- Advising California Nonprofit Corporations | CEB
- Selecting and Forming Business Entities | CEB
- Forming & Operating California Limited Liability Companies | CEB
- The Delaware Corporation: Legal Aspects of Organization and Operation | Bloomberg
Databases
Databases

- CEB OnLaw – accessible through LRC website
- Bloomberg Law – requires individual login; register at bloomberglaw.com
- Practical Law – available through Westlaw
Advising California Nonprofit Corporations

Advising California Partnerships

Forming and Operating California Limited Liability Companies

Selecting and Forming Business Entities
Welcome to OnLAW

Getting Started
- Use the Table of Contents on the left to browse CEB's titles
- Use the Search button in the toolbar above to run a search
- View OnLAW training videos

What's New
- New Title
  Employee Leave Laws: Compliance and Litigation
  Estate Planning 2015
- No Longer Available
  Estate Planning 2005
  CEB is no longer producing forms to download in WordPerfect format. As each OnLAW title is updated, the WordPerfect download link will be removed. We will continue to provide Word download links.
- Publication Dates
  Last Update, by Publication

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Evaluating Entity Choices

Carol A. Brittain
W. Rod Stern

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Delaware corporate law resources
Sample forms and employment agreements
Treatises & practice guides on tax, corporate, employment, IP
Practice materials and tips for law students
Sign in to Bloomberg Law

Username
Password:

www.bloomberglaw.com

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24/7 Help Desk
888.560.2529
blawhelp@bna.com
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**State Law** | **Books & Treatises** | **Business Development**
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Dockets | Portfolios | What's New on BLAW
People | News |
Draft Analyzer | Deal Analytics |
Corporate Practice Center

RESOURCES

Practice Pages

Laws & Regulations
Litigation & Dockets
Transactional Resources
Practice Tools
BNA Portfolios
Books & Treatises
News & Law Reports
Law Reviews & Journals
In Focus

Practice Pages

Use our curated directories of content to delve deeper into specified practice areas. Featured resources include practice tools, court materials, legislative and regulatory materials, and secondary sources.

- Delaware Corporate Law Resources
- Corporate Litigation
- Proxy Regulation
- Franchise Law
- Foreign Corrupt Practices Act (FCPA)
- International Trade
- In Focus: AT&T-Time Warner Merger

SEARCH CORPORATE LAW SOURCES

Select Sources
Source Directory

When no sources are selected, all sources will be included in your search.

Keywords
Search Help

- Include Word Variations (e.g., 'index' finds 'indexing' and 'indexes')

Date Range
No Data Selection

Create Search Alert
Clear All
Search
The Delaware Corporation: Legal Aspects of Organization and Operation
Available through Westlaw

Legal know-how for transactional matters

Practice area overviews, including finance, corporate, employment, IP, real estate and tax

Model documents with drafting and practice tips
U.S. antitrust agency sues Qualcomm over patent licensing

1/17/2017 | REUTERS

The U.S. Federal Trade Commission filed a lawsuit against Qualcomm Inc on Tuesday, accusing the company of antitrust violations in its patent licensing business.
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Questions?

- Michele Knapp
  mknapp@sandiego.edu
  619.260.4532

- LRC Reference
  lrcrefer@sandiego.edu
  619.260.4612
  www.sandiego.edu/law/library/