

A Helpful Guide

Who Needs a Trade Name (dba) Affidavit?

Georgia law is very clear, any person or business doing business under any name other than their legal name must obtain a Trade Name affidavit from the Clerk of Superior Court.

The Law

[Georgia law](#) REQUIRES that every person, firm or partnership carrying on this state any trade or business under any name which does not disclose the individual ownership of the trade, business or profession SHALL before commencing to do business, file a registration statement in the office of the Clerk of Superior Court and that notice of such filing SHALL be published in the legal organ of the county once a week for two weeks.

The law further provides that any person or entity subject to such law carrying on any trade or business without registration as required shall be guilty of a *misdemeanor* and may be subject to other penalty or forfeiture.

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Generally

If you're doing business in any other name than your legal name, you must file a registration statement, verified by affidavit in the office of the clerk of the superior court of the county in which the organization chiefly operates or its county of legal domicile. So what does that mean?

Your 'legal name' is your name (like what's on your driver's license), or your incorporated business's name. Incorporation is a legal term, but if you're registered with the [Georgia Secretary of State's](#) office with an acronym like LLC, or Inc, your business is incorporated.

Say you're name is Joe Don Smith, but you have a food truck and do business as "The Burger Guy," you must register with the Clerk of Superior Court. Similarly, if you're incorporated, such as JDS, LLC, doing business as "The Burger Joint", you also must register.

This all should not be confused with a [Trade Mark, or Service Mark](#).

How do I register, get my affidavit?

Troup County Clerk of Court does not offer online registrations, but you can [download this form](#), complete it prior to bringing it to the Clerk's office in downtown LaGrange.

[Troup County, Georgia](#)

[Finance Department](#)