



## **BUSINESS NAMES LEGISLATION**

**Consultation Memorandum  
No. 3**

**December, 1996**

## **ALBERTA LAW REFORM INSTITUTE**

The Alberta Law Reform Institute was established on January 1, 1968, by the Government of Alberta, the University of Alberta and the Law Society of Alberta for the purposes, among others, of conducting legal research and recommending reforms in the law. Funding of the Institute's operations is provided by the Government of Alberta, the University of Alberta, and the Alberta Law foundation.

Richard H. Bowes, one of the Institute's counsel, has carriage of the project on business names legislation and has written this Consultation Memorandum.

### **PREFACE AND INVITATION TO COMMENT**

This Consultation Memorandum discusses provincial business names legislation. It begins by discussing possible objectives of business names legislation, the contours (but not the detailed anatomy) of such legislation in Alberta and other jurisdictions, and the interface between business names legislation and other bodies of law (such as the federal *Trade-Marks Act*). It concludes by raising a number of specific issues relating to business names legislation. Some of the issues relate to whether Alberta should even pursue the objectives of business names legislation identified in the first part of the memorandum. Other issues assume that a particular objective will be pursued and consider the design of legislation that pursues it.

The Institute's purpose in circulating this Consultation Memorandum is to give interested persons an opportunity to provide us with their thoughts on the issues considered in the memorandum. Any comments provided to the Institute will be considered when the Institute decides what final recommendations it will make regarding provincial business names legislation.

Readers' attention is drawn to the numbered issues set out in the body of the memorandum starting at page 28. In most cases, the statement of an issue is followed by several options for dealing with the issue. Readers are invited to comment on the options that we set out for each issue but are also invited to suggest approaches that they think would be superior to any of the options presented in the memorandum. Although we are interested in finding out **what** approach readers favour for each issue, we are even more interested in finding out **why** readers support or oppose a particular approach.

We request that readers provide us with their comments by March 14, 1997. Comments in writing are preferred. Please address comments to:

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