

## Retention and Classification Report

**Agency:** Department of Commerce. Division of Corporations and Commercial Code (221)

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**Records Officer:** \_\_\_\_\_

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**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16678

3

**TITLE:** Active corporations list

**DATES:** 1985-

**ARRANGEMENT:** alphabetical by corporation name

**DESCRIPTION:**

This is a report file in the data system used to show the number of new and current corporations in the state. This information is used to compile administrative reports and to compare active files against dissolved files. The information includes the corporate number, the corporate name, the name and address of the registered agent, and the names and addresses of the corporate officers.

**RETENTION:**

Retain for 1 month(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Computer data files: Retain in Office for 1 month and then delete.

**APPRAISAL:**

These records have administrative value(s).

This file is updated monthly.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6664

3

**TITLE:** Agricultural products lien files

**DATES:** 1987-

**ARRANGEMENT:** Numerical by file number

**DESCRIPTION:**

This is a record of liens on farm products filed by the creditors to protect their security interests. This is a new program developed under Section 1324 of the Food Security Act of 1985. This series includes Effective Financing Statement (Form CFS-1), Lien Changes (CFS-3), and termination of Liens. Information includes the microfilm number, the specific farm product attached by the lien, the county where the agricultural product is produced, and the crop year.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and then transfer to State Archives.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

These records have administrative, fiscal, and/or legal value(s). Classification is specified in Vol. 51, No. 159, page 29452 of the Federal Register. Microfilming is recommended both to save space and to provide a security copy of the record, as this documents the citizen's rights and financial interests.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6664

**TITLE:** Agricultural products lien files

(continued)

**PRIMARY DESIGNATION:**

Private                      Utah Code 63G-2-302(2)(d)(2018)

**SECONDARY DESIGNATION(S):**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 07/2018.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 5425

3

**TITLE:** Amended and/or reinstated limited partnership agreements and certificates

**DATES:** 1991-

**ARRANGEMENT:** Numerical by partnership number

**ANNUAL ACCUMULATION:** 10.00 cubic feet.

**DESCRIPTION:**

These records document the filing of limited partnerships with the State of Utah. UCA 48-2-1 specifies that a limited partnership is "a partnership formed by two or more persons having as members one or more general partners and one or more limited partners." In addition, UCA 48-2-2 (1)(b) states that persons choosing to create a limited partnership shall "file for record the certificate in the county clerk of the county in which the principal place of business of the partnership shall be situated." The original certificate is amended or cancelled when a notarized amendment, cancellation, or court order is filed in the office of the county clerk where the certificate is recorded (UCA 48-2-25). Items included in the limited partnership and agreement and certificate comprise sixteen articles. Article I is the Formation of Limited Partnership, Article II lists the Name of Partnership, Article III states the Character of Business, and Article IV lists the Principal Place of Business. Article V gives the Names and Residences of Partners, Article VI states the Term of the partnership, Article VII declares Capital and Capital Contributions, Article VIII documents Profits and Losses, and Article IX concerns itself with the structure of Management. Article X records the procedure for the Death of a Partner, Article XI tabulates the Sale or Transfer of Partnership Interests, Article XII enumerates the Voluntary Dissolution of a partnership and Article XIII sets the criteria for the Election of General Partner. Article XIV deals with Advances, which cover the advancement of loans to the partnership, while Article XV outlines the proper method for keeping Records, Notices and Miscellaneous information about the partnership. Article XVI is a statement that the Agreement (is) to be Binding. These files also include amendments, affidavits, and cancellation of certificate of agreement. A related series is scheduled under series number 1505.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 5425

**TITLE:** Amended and/or reinstated limited partnership agreements and certificates

(continued)

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/1992

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after being microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

These records have administrative, historical, and/or legal value(s).

This disposition is based on the information value of these files to document the creation of business partnerships. They also have a secondary historical value to persons researching businesses, particularly small family operations.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6918

3

**TITLE:** Annual reports

**DATES:** 1985-

**ARRANGEMENT:** Numerical by identification number

**DESCRIPTION:**

These are one page report forms filed annually with the division.

This form is used to update corporate information. Failure to file this annual report can result in dissolution and/or suspension of the corporation. Information from the annual report is entered into the computer data system.

This series includes corporation file number, name, registered agent, state of incorporation, type of business, officers, directors, number of authorized shares, and stated capital.

Annual reports are filed in the Corporation File (7184, permanent record).

This information is used for research and to answer public inquiry.

This record was microfilmed until 1988.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer paper to Corporation File (7184).

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

Computer data files: Retain in Office for 1 year or until updated and then delete.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6918

**TITLE:** Annual reports

(continued)

**APPRAISAL:**

These records have administrative, fiscal, and/or legal value(s).

**PRIMARY DESIGNATION:**

Public

**SECONDARY DESIGNATION(S):**

Private. UCA 63G-2-301(2)(d)

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6936

3

**TITLE:** Articles of incorporation amendments

**DATES:** 1979-

**ARRANGEMENT:** Numerical by corporation identification number

**DESCRIPTION:**

These are amendments added to a corporation's articles of incorporation. These amendments can change the corporation's name, period of duration, purposes, number of shares, par value of the shares, change shareholders' rights, and aspects of the corporate structure. They have strong legal implications as they can affect the rights of the corporate stockholder. This is a vital record and should be microfilmed for security reasons. This series includes the name of the corporation, the amendment adopted, the date of the adoption by the shareholders, the number of shares outstanding, the number of shares entitled to vote, and the number that voted for and against the amendment. This record is filed in the Corporation file 7184.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year or until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6936

**TITLE:** Articles of incorporation amendments

(continued)

**APPRAISAL:**

These records have administrative, and/or legal value(s).

This record is required by UCA 16-10-58.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 13994

4

**TITLE:** Articles of organization files

**DATES:** 1991-

**ARRANGEMENT:** Alphanumerical by limited liability company file number

**ANNUAL ACCUMULATION:** 15.00 cubic feet.

**DESCRIPTION:**

Records from the filing of limited liability companies in Utah.  
Information includes the articles of organization, company name,  
duration period, business purpose, address, signature of initial  
registered agent, and management organizational profiles.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records  
Committee.

**APPROVED:** 04/1995

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after expiration or until  
microfilmed and then destroy provided microfilm has passed  
inspection.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

These records have administrative, and/or historical value(s).  
This disposition is based on the secondary historical value to  
researchers interested in business activities in Utah.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 13994

**TITLE:** Articles of organization files

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6921

3

**TITLE:** Assumed name case files

**DATES:** 1968-

**ARRANGEMENT:** Chronologically by date scanned, thereunder by types of documents. Prior to July 17, 2002 arrangement is

**DESCRIPTION:**

These are the records of individuals, associations, partnerships, corporations, or others who conduct business in the state under an assumed name. This record is required by law to assist in protecting the rights of the citizens. This certificate is renewed every five years. Renewal notices are sent to the corporation 30 days prior to expiration. Information is entered into the computer data file.

This series includes an Application to Transact Business Under an Assumed Name, Renewal Application to Transact Business Under an Assumed Name, Amended Application to Transact Business Under an Assumed Name, a notice of expiration, the assumed name, nature of the business, name and address of the registered agent, business owner, an signatures of the owner and/or registered agent. Reports and lists can be generated for administrative use. This record is used for research and to answer public inquiry.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives provided entity has expired.

Microfilm master: Retain in Archives permanently.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6921

**TITLE:** Assumed name case files

(continued)

Computer data files: Retain in Office until updated and then delete.

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

These records have administrative, and/or legal value(s).

Requirements are outlined under UCA 42-2. The five year retention is based on UCA 42-2-8.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 27752

1

**TITLE:** Assumed name case files (unredacted)

**DATES:** 1968-

**ARRANGEMENT:** chronological by date scanned

**DESCRIPTION:**

These are records of individuals, associations, partnerships, corporations, or others who conduct business in the state under an assumed name. These documents will have information such as Social Security numbers that are not available to the public and need to be kept separate from the public assumed name. This record is required by law to assist in protecting the rights of the citizens. Certificates are renewed every three years. Renewal notices are sent to the corporation 30 days prior to expiration. Information is entered into a computer data file. This series includes an application to transact business under an assumed name, a notice of expiration, the assumed name, nature of the business, name and address of the registered agent, business owner, and signature of the owners. These documents will also contain private information, such as Social Security numbers.

**RETENTION:**

Permanent. Retain for 30 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is proposed and has not yet been approved.

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives with authority to weed.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 27752

**TITLE:** Assumed name case files (unredacted)

(continued)

**PRIMARY DESIGNATION:**

Private

UCA 63G-2-302

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6302

3

**TITLE:** Assumed name case files; amendments, cancellations, renewals, and resignations

**DATES:** 1970-

**ARRANGEMENT:** Numerical by assumed name file number

**ANNUAL ACCUMULATION:** 6.00 cubic feet.

**DESCRIPTION:**

These files document individuals, associations, partnerships, corporations, or others who conduct business in the state under an assumed name. UCA 16-10-9 (1990) specifies "Any corporation organized and existing under the laws of any state or territory of the United States may register its corporate name under this chapter if its corporate name is distinguishable from any registered name or trademark filed with the Division of Corporations and Commercial Code. The division issues the corporation a certificate indicating it is in good standing under the laws in which is incorporated." This certificate is renewed every three years. Renewal letters are sent to the individuals, associations, partnerships, or corporations sixty days prior to expiration. This series includes Amended Applications occurring after July 1990, Renewal Application to Transact Business Under an Assumed Name, resignations of agents and/or officers of the business, nature of the business, name and address of the registered agent, business owner, and signatures of the owner and/or registered agent. Information from the Assumed Name case files is entered into the computer data file scheduled under series number 16662.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 09/1991

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year or until microfilmed and then destroy provided microfilm has passed inspection.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6302

**TITLE:** Assumed name case files; amendments, cancellations, renewals, and resignations

(continued)

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

These records have administrative, and/or historical value(s).  
This disposition is based on the needs expressed by the agency.  
These files have a secondary historical value for researchers  
interested in the activity of businesses registered in the State  
of Utah under an assumed name.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 29626

3

**TITLE:** Business trust registrations

**DATES:** 2002-

**ARRANGEMENT:** Chronological.

**DESCRIPTION:**

Under Utah law, business trusts are required to register with the Division of Corporations and Commercial Code (see Utah Code 16-15-104 (2008)). These records are the registrations, including renewals and amendments.

**RETENTION:**

Permanent. Retain for 30 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 12/2017

**FORMAT MANAGEMENT:**

Computer data files: Retain in Office for 30 years and then transfer to State Archives with authority to weed.

Paper: Retain in Office until administrative value has been met and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives with authority to weed.

**APPRAISAL:**

These records have administrative, and/or historical value(s).  
These records are of historical value to researchers interested in business activities in Utah.  
Permanent disposition also aligns with similar records for business incorporation (series 7184) and declarations of real estate investment trusts (series 16691).

**REVIEW AND UPDATE STATUS:**

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 29626

**TITLE:** Business trust registrations

(continued)

This report was reviewed and updated on 12/2017.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81225

3

**TITLE:** Central filing system master list

**DATES:** 1987-

**ARRANGEMENT:** none

**DESCRIPTION:**

The agency compiles and distributes the federally required central filing system master list of all debtors against whom an agricultural lien has been filed (7 USC 1631 (1986)). Records document the debtor and lender's information, as well as individuals who register to receive a copy of the list.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office permanently.

Computer data files: Retain in Office permanently.

**APPRAISAL:**

These records have administrative value(s).

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81225

**TITLE:** Central filing system master list

(continued)

**SECONDARY DESIGNATION(S):**

Private. Utah Code 63G-2-302(2)(d)(2016)

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16648

3

**TITLE:** Collection agency bonds

**DATES:** 1984-

**ARRANGEMENT:** Alphabetical by bond holder name

**DESCRIPTION:**

These are filings associated with the registration, bonding, renewal and miscellaneous documents associated with collection agencies in the state certifying that an agency has been bonded to collect monies, and has an active registration with the division. This record is not filed in the business entity file. This information includes the initial application, names, addresses and notarized signatures of the officers of the collection agencies and the insuring agencies of the bond on record, annual reports and miscellaneous filings associated with the collection agency.

**RETENTION:**

Retain for 2 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and then destroy.

Computer data files: Retain in Office for 2 years after expiration date.

**APPRAISAL:**

These records have administrative, and/or legal value(s).

Requirements are listed in UCA 12-1-1. The limitation for actions against a collection agency bond holder is 2 years according to UCA 12-1-3. According to the staff, the bond may be renewed by the bond holder. Retention, then, is until the bond has expired.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16648

**TITLE:** Collection agency bonds

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 9258

1

**TITLE:** Commercial code case files

**DATES:** 1980-

**ARRANGEMENT:** Alphabetical by case name

**ANNUAL ACCUMULATION:** 2.00 cubic feet.

**DESCRIPTION:**

These records document case files from the Division. Information contains name, birthdate, application information, age, correspondence, and correspondence.

**RETENTION:**

Retain for 10 year(s) after case is closed

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is proposed and has not yet been approved.

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after case closes and then transfer to State Records Center. Retain in State Records Center for 9 years and then destroy.

**APPRAISAL:**

These records have administrative value(s).

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16662

3

**TITLE:** Corporation data record

**DATES:** 1987-

**ARRANGEMENT:** Alphabetical by corporation name

**DESCRIPTION:**

This is the master data file for Corporation Records. This file contains all current information on corporations registered in the state. The data file allows the user to generate reports, statistical data, letters, mailing lists and labels.

The Master File is maintained on hard disk with a magnetic backup of one week. Only current information is maintained.

Subfiles have been scheduled under the computer data format of the paper record.

This master data record contains the following data files: Annual Report Form, Articles of Amendment, Registered Agents, Suspensions, Dissolutions, Reinstatements, Name Registration, Trademark Registration, Revocations, Renewals, Summons and Complaints, Delinquencies, Notary Bond, Articles of Incorporation, and notice of Notice of Resignation.

This series includes the name and identification number of the corporation, type of business, state of incorporation, status code, current status code, profit or nonprofit, name and address of registered agent, date of incorporation, last date of corporate agent change, reinstatement date, inactivity date, date of the last filed annual report, date of the last profit report, amount of stated capitol, names and addresses of all officers, class of stock, par value of stock, date and number of issued and authorized stock, foreign corporation name, date of last name change, and date of last merger.

The incorporation case file (series 7184) is a permanent record.

This system is used as a reference tool for research and to answer public inquiry.

**RETENTION:**

Retain until final action

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16662

**TITLE:** Corporation data record

(continued)

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Computer data files: Retain in Office until corporation becomes inactive and then delete.

Computer magnetic storage media: Retain in Office for 1 week and then erase.

**APPRAISAL:**

These records have administrative value(s).

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16691

3

**TITLE:** Declaration of trust of a real estate investment trust

**DATES:** 1965-

**ARRANGEMENT:** Alphabetical by trust name

**DESCRIPTION:**

These are declarations that a corporation, trust or association intends to form a real estate investment trust under the provisions outlined in the Utah Code. Trust companies are not required to file any additional paper work with the division. This information is being transferred to the computer data file in order to answer public inquiry and for research.

These records should be kept in the office while the trust exists to provide information to potential investors. Action can be taken against the officers for fraud. These records are also needed for tax purposes.

This series includes the name and address of the trust, the names and addresses of the officers of the trust, the provisions of the trust, the date the trust was formed, and the date of filing.

**RETENTION:**

Permanent. Retain for 7 year(s) after final action

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in State Records Center for 7 years after trust is dissolved or terminated and then transfer to State Archives with authority to weed.

**APPRAISAL:**

These records have administrative, fiscal, and/or legal value(s). A permanent retention has been requested by the agency to coincide with the Corporation Files. Retention is outlined under UCA 78-12.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16691

**TITLE:** Declaration of trust of a real estate investment trust

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16674

3

**TITLE:** Delinquency for failure to file an annual report data record

**DATES:** 1987-

**ARRANGEMENT:** None

**DESCRIPTION:**

This is a report file in the Corporation Data System. It is used to prepare reports of those corporations that have failed to file annual reports. The information includes the corporate number, the corporate name, the status of the corporation and the reason for that status.

**RETENTION:**

Retain for 1 month(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Computer data files: Retain in Office for 1 month and then delete.

**APPRAISAL:**

These records have administrative value(s).

This file is updated monthly.

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 06/2015.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 7670

3

**TITLE:** Delinquency notices

**DATES:** 1976-

**ARRANGEMENT:** Numerical by corporation number

**DESCRIPTION:**

This is a listing of corporations who are delinquent for failure to pay taxes or maintain a registered agent. This listing is used as a mailing list. If the problem is not resolved within the specified period of time, the corporation is dissolved. This notice is no longer filed or microfilmed. A notation is entered into the computer data system. This series contain the name and address of the corporation and the date of the notice.

**RETENTION:**

Retain for 5 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Microfilm master: For records prior to and including 2014. Retain in Office for 5 years and then destroy.

Computer data files: Retain in Office for 5 years or until updated and then delete.

**APPRAISAL:**

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16666

3

**TITLE:** Domestic corporation name registration file

**DATES:** 1979-

**ARRANGEMENT:** alphabetical by corporation name

**DESCRIPTION:**

This is a record of all domestic corporations who have registered their corporate name. This protects their name from being used by other Utah corporations. Names are registered annually. If the corporation is not formed or the name is not changed in the allotted time period, all rights to the name end. Information from the registration form is input into the data system. Includes the number, the registered name, the date of registration, the date of renewal, the date of expiration, the date the corporation was incorporated in its home state, the name of the entity, and the name and address of the applicant. All information in the data file is used for research and to answer public inquiry.

**RETENTION:**

Retain for 20 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 4 years after registration expires and then destroy.

Computer data files: Retain in Office for 20 years and then delete.

**APPRAISAL:**

These records have administrative, and/or legal value(s).

The statute of limitations for legal action against use of someone else's name appears to be four years under UCA 78-12-25(2). Registration is authorized under UCA 16-10-9.

Previous decision: RDR 82-29: microfilm and destroy.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16666

**TITLE:** Domestic corporation name registration file

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16673

3

**TITLE:** Domestic revocation files

**DATES:** 1986-

**ARRANGEMENT:** alphabetical by corporation name

**DESCRIPTION:**

This is a record of domestic corporations whose certificates have been revoked for failure to pay taxes, file an annual report, and/or maintain a registered agent. A corporation can be reinstated if they comply with the established guidelines within the allocated period of time. When a certificate is revoked, it is noted in the computer data file. The computer file is maintained for research and to answer public inquiry. This series includes the corporation number, name, reason for revocation, date of revocation, and the name and address of the registered agent.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 3 years and then destroy provided information is in the data system.

Computer data files: Retain in Office permanently.

**APPRAISAL:**

These records have administrative value(s).

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16673

**TITLE:** Domestic revocation files

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 9252

3

**TITLE:** Executive correspondence

**DATES:** 1971-

**ARRANGEMENT:** None

**DESCRIPTION:**

Records not duplicated elsewhere that document how the office is organized and how it functions, its pattern of action, its policies, procedures and achievements.

**RETENTION:**

Permanent. Retain for 5 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule State agency executive correspondence, GRS-1758.

**AUTHORIZED:** 07-12-2018

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 5 years and then transfer to State Archives with authority to weed.

**APPRAISAL:**

These records have administrative, and/or historical value(s).

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81230

3

**TITLE:** Filing verification requests

**DATES:** 1987-

**ARRANGEMENT:** Alphabetical by name

**DESCRIPTION:**

The agency compiles and distributes the federally required central filing system master list of all debtors against whom an agricultural lien has been filed (7 USC 1631 1986)). Records document requests for a certified copy of the central filing system or a confirmation of listing in the central filing system, including debtor, lender, and lien information.

**RETENTION:**

Retain for 1 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then destroy.

**APPRAISAL:**

These records have administrative value(s).

**PRIMARY DESIGNATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 09/2016.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81220

3

**TITLE:** Financing statements

**DATES:** 1965-

**ARRANGEMENT:** Numerical by filing number

**DESCRIPTION:**

This is the record of filed security interests created by contract including pledge, assignment, chattel mortgage, chattel trust, trust deed, factor's lien, equipment trust, conditional sale, trust receipt, other lien or title retention contract or lease of consignment intended as security. Filing of the financing statement is necessary to protect the creditor's security interests. See Uniform Commercial Code, UCA 70A Chapter 9. Includes financing statement and statement of continuation, partial release, and assignment. Information includes the debtor's name, address, and social security number or employer identification number; the secured party's name and address; the type of property covered by the financing statement; the gross sale price of the collateral; the name and address of any secured party's assignee; the date and time of filing and the filing number; the signatures of the debtor and secured party; and the dates of continuation, assignment, amendment, or partial release.

**RETENTION:**

Retain for 1 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 6 months and then microfilm and destroy provided microfilm has passed inspection.

Computer data files: Retain in Office for 1 year after the financing statement is terminated or expires and then delete.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81220

**TITLE:** Financing statements

(continued)

**APPRAISAL:**

These records have administrative value(s).

Previous decision: 77-54: 5 year/public. According to UCA 70A-9-403, a financing statement is good for five years, but it may be continued indefinitely. As a result, no specific retention can be given because, according to the Uniform Commercial Code, the financing statement must be on file as long as it is effective. Section 70A-9-403(4) of the UCA permits microfilming of the document for public inspection. This is recommended both to save space and to provide for a security copy of the financing statement.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16642

3

**TITLE:** Foreign corporation name registration

**DATES:** 1963-

**ARRANGEMENT:** alphabetical by corporation name

**DESCRIPTION:**

This is a record of foreign corporations organized outside of the state who have registered their corporation name with Utah. This protects their corporation name from being used by a Utah corporation. Name registrations are renewed annually. If the corporation is not formed or the name is not changed in the allotted time period, all rights to the name end. Information from this registration form is input into the corporation data file.

This series includes the name of the corporation, the type of business, the date of registration, and the applicant's signature, address, and telephone number.

All information in the data file is used for research and to answer public inquiry.

**RETENTION:**

Retain for 4 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 4 years after registration expires and then destroy.

Computer data files: Retain in Office for 20 years and then delete.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16642

**TITLE:** Foreign corporation name registration

(continued)

**APPRAISAL:**

These records have administrative, and/or legal value(s).

The statute of limitations for legal action against the use of someone else's name appears to be four years under UCA 78-12-25(2). Registration is authorized under UCA 16-10-9.

Previous decision: RDR 82-29: microfilm/public.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6915

3

**TITLE:** Foreign incorporation revocation records

**DATES:** 1986-

**ARRANGEMENT:** Numerical by corporation identification number

**DESCRIPTION:**

This is a record of foreign corporations whose certificates have been revoked for failure to pay taxes, file an annual report, and/or maintain a registered agent. A corporation can be reinstated if they comply with the established guidelines within the allocated period of time. When a certificate is revoked, it is noted in the computer data file. The computer file is maintained for research and to answer public inquiry. This series includes the corporation number, name, reason for revocation, date of revocation, and name and address of registered agent.

**RETENTION:**

Permanent. Retain for 2 year(s) after expiration of permit or license

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 2 years after expiration and then transfer to State Archives with authority to weed.

Computer data files: Retain in Office for 1 year or until updated and then delete.

Microfilm master: Retain in State Records Center permanently.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6915

**TITLE:** Foreign incorporation revocation records

(continued)

**APPRAISAL:**

These records have administrative, historical, and/or legal value(s).

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16689

3

**TITLE:** Foreign insurance corporations files

**DATES:** 1943-

**ARRANGEMENT:** Alphabetical by company name

**DESCRIPTION:**

At one time, state law required insurance companies from other states to file a copy of their Articles of Incorporation with both the Corporations Division and the Department of Insurance. This law has since been repealed. The division has no use for this information and a copy of it is maintained by the Insurance Department. Domestic Corporations are required to file with the division. This information is entered into the computer data system.

The information includes the name of the insurance company, the place of incorporation, the date of incorporation, the terms of incorporation, and the names and addresses of the officers and directors.

**RETENTION:**

Retain until administrative need ends

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until no longer needed and then destroy.

**APPRAISAL:**

These records have administrative value(s).

As this record is a duplicate copy, it may be destroyed as soon as approval is given.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16689

**TITLE:** Foreign insurance corporations files

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16626

3

**TITLE:** Inactive trademark files

**DATES:** 1956-

**ARRANGEMENT:** Numerical by trademark file number.

**DESCRIPTION:**

These are the files of trademarks that have expired. Trademarks are active for ten years. These expired in 1985 or later. When a trademark has not been renewed, it becomes inactive. The owner has six months prior to date of expiration to renew the trademark. This record is used for research and to answer public inquiry. Once the trademark becomes inactive, a new trademark must be applied for. These records are filmed when they are active and initially filed with the division. They are also being filmed when they have become inactive. Information is entered into the data file.

This series includes Application for Registration of Trade-Mark or Service Mark, and all related correspondence. Information includes applicant's name, partner's name, place and date of incorporation, foreign corporation with authorization to do business in Utah, address, facsimile of the trademark, the class of goods or services involved, the particular goods or service with which the trademark or service mark is used, the mode or manner of use of trademark or service mark, the dates of first use of the trademark within the state and outside the state, whether the trademark has been in continuous use in Utah for five years prior to the application, and the notarized signature of the applicant.

Trademarks are not filed in the Corporation File.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1987

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16626

**TITLE:** Inactive trademark files

(continued)

**FORMAT MANAGEMENT:**

Paper: Retain in State Records Center for 1 year after trademark is not renewed and then microfilm and destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

Computer magnetic storage media: Retain in Office for 30 days after expiration and then erase.

Computer data files: Retain in Office permanently.

**APPRAISAL:**

These records have administrative, and/or legal value(s).  
These records are being filmed when active and retained permanently for historical value.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 7184

4

**TITLE:** Incorporation case files

**DATES:** 1871-

**ARRANGEMENT:** Numerical by case file number.

**DESCRIPTION:**

Incorporation Case Files contain at a minimum the original articles of incorporation and any subsequent amendments to corporations. Some files also contain notices to pay licensing fees and taxes, oaths of office for corporate officers, annual reports, correspondence, dissolution certificates, or other miscellaneous documents. Case files are created during the length of a corporation's duration existence to form a business into an association with the legal rights and liabilities of an individual.

Articles of incorporation constitute a contract between the state and corporation, between corporation and stockholders, and between the stockholders and state. The articles of incorporation record the following: names of the incorporators and their places of residence, the length of the corporation's duration, the pursuit of business agreed upon, amount of stock each shareholder receives, description of stock classes, number and kind of corporate officers, and the number of directors necessary to transact corporate business.

Prior to 1962, corporations were required by law to file articles of incorporation with the Secretary of State and the County Clerks. Effective January 1, 1962, the law changed and the Secretary of State became the sole agency responsible for corporation records in the state (Laws of Utah, 1961, Chapter 28). In 1974, a notice was sent out to all corporations requesting their current status. Corporations that were no longer in existence were officially dissolved by the Secretary of State. In 1984, the Division of Corporations and Commercial Code was created to assume duties and responsibilities pertaining to corporations that were previously delegated to the Secretary of State (Laws of Utah, 1984, Chapter 66).

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 7184

**TITLE:** Incorporation case files

(continued)

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives with authority to weed provided entity has expired.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

These records have administrative, fiscal, historical, and/or legal value(s). Because of the importance of incorporation information, which documents the organization and existence of companies, the Division of Corporations and Commercial Code is required by law [UCA section 16] to maintain incorporation case files and their corresponding indexes.

**PRIMARY DESIGNATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 04/2017.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6922

3

**TITLE:** Involuntary dissolution certificates

**DATES:** 1975-

**ARRANGEMENT:** Numerical by corporation number

**DESCRIPTION:**

This is a record of domestic corporations who have been involuntarily dissolved for failure to pay taxes, maintain a registered agent, and/or file an annual report. The division has the legal power to dissolve the corporation for any of the above reasons. When an agency complies with the requirements within the prescribed period of time, they can renew their corporation with the division.

From 1979-1985 these records were filmed on the same roll with Notice of Suspensions.

This record is no longer filmed or filed in the division.

Dissolutions are entered into the computer data file.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year or until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

Computer data files: Retain in Office until updated.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6922

**TITLE:** Involuntary dissolution certificates

(continued)

**APPRAISAL:**

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 13993

3

**TITLE:** Limited liability company files

**DATES:** 1991-

**ARRANGEMENT:** Chronological by date scanned, thereunder by type of document. Prior to July 17, 2002 arrangement is

**ANNUAL ACCUMULATION:** 17.00 cubic feet.

**DESCRIPTION:**

Articles of organization, amended articles of organization annual reports, resignations, agent address changes, articles of dissolution, applications for foreign liability companies, certificates of registration, applications to amend certificates of registration of foreign limited liability companies, certificates of withdrawal, articles of merger, and consolidation and statements of correction for all domestic and foreign limited liability companies and limited cooperative associations registered in the State of Utah. They are maintained for research and to answer public inquiry and are maintained separately until they are microfilmed or updated. These files are then placed together to form a permanent record.

**RETENTION:**

Permanent. Retain for 30 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 04/1995

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives provided entity has expired.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 13993

**TITLE:** Limited liability company files

(continued)

**APPRAISAL:**

These records have administrative, and/or historical value(s).

This disposition is based on the secondary historical value to researchers interested in business activities in Utah.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 27743

3

**TITLE:** Limited liability partnership files

**DATES:** 1994-

**ARRANGEMENT:** Numerical by limited liability partnership file number

**DESCRIPTION:**

These records contain certificates of limited liability partnerships, applications for foreign limited liability partnerships, foreign amendment applications, cancellation certificates, renewal statements, certificates of merger, and conversion forms. Information will include partnership name, registered agent's name and address, number of partners, and the purpose of the partnership.

**RETENTION:**

Permanent. Retain for 30 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule Bond official transcripts, GRS-1799.

**AUTHORIZED:** 12-01-2013

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 month after scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives with authority to weed.

Computer data files: Retain in Office permanently.

**APPRAISAL:**

These records have historical value(s).

The history of partnerships in the state may provide insight into lasting, short term, and failed partnerships. The disposition of permanent is based on the secondary historical value to researchers interested in business activities in Utah.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 27743

**TITLE:** Limited liability partnership files

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 13995

4

**TITLE:** Limited partnership records

**DATES:** 1975-

**ARRANGEMENT:** Alphanumerical by limited partnership file number.

**ANNUAL ACCUMULATION:** 3.90 cubic feet.

**DESCRIPTION:**

Certificates of limited partnership, amended certificates of limited partnership, applications for foreign limited partnerships, amendment applications, cancellation certificates, and active limited partnerships filed with county recorders in Utah, for all domestic and foreign limited partnerships registered in Utah, maintained for research and to answer public inquiries. Until 1990, the county kept limited partnership records; at that point active partnership records were transferred to the Division of Corporations.

**RETENTION:**

Permanent. Retain for 30 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 04/1995

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives.

**APPRAISAL:**

These records have historical value(s).

Disposition based on the value of these records in documenting all domestic and foreign limited partnerships registered in Utah.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 13995

**TITLE:** Limited partnership records

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81229

3

**TITLE:** Master list annual registration

**DATES:** 1987-

**ARRANGEMENT:** none

**DESCRIPTION:**

This is the form used by individuals to register to receive the Central Filing System Master List. This registration is good for one year. The form is used as data entry form. The information includes name and address, the farm product in which the registrant is interested, and the counties in which the registrant is interested.

**RETENTION:**

Retain for 3 month(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 3 months and then destroy.

**APPRAISAL:**

These records have administrative value(s).

Once the record has been entered into the data system the paper copy would only be needed to correct data entry errors. As master lists are sent monthly, any data entry problems should be revealed quickly.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81229

**TITLE:** Master list annual registration

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16643

3

**TITLE:** Microfilm record of reinstatements and annual reports

**DATES:** 1980-

**ARRANGEMENT:** Numerical by corporate number

**DESCRIPTION:**

This is a microfilm copy of the above two records series which were filmed on the same roll of film until 1984. Reinstatements are applications by which a corporation suspended or dissolved under UCA 16-10-88.1 or 59-13-61 may be reinstated as a legal entity. Annual reports are reports filed with the department as required by UCA 16-10-121 and 16-10-122.

Annual report includes the name of the corporation and the state or country under the laws of which it is incorporated; the address of the registered office and the name of the registered agent in the state; for foreign corporations, the address of the principle office in the state or country of incorporation; the type of business conducted in Utah; the names and addresses of the corporate officers; the names and addresses of the directors; the total number of authorized shares itemized by classes, par values of shares, shares without par value and series within a class; the total number of issued shares itemized by classes, par values of shares, shares without par value, and series within a class; the amount of stated capital; and the signature of the authorized officer.

Application for reinstatement includes the name of the applicant, the applicant's position (stockholder, creditor, or officer), the name of the corporation, the date the corporation was suspended, and the signature of the applicant.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Microfilm master: Retain in Archives permanently.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16643

**TITLE:** Microfilm record of reinstatements and annual reports

(continued)

**APPRAISAL:**

These records have administrative, and/or legal value(s).

This record is a combination of two different records series. The retention given is for the records series with the longest retention.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6544

3

**TITLE:** Personal property lien case files

**DATES:** 1980-

**ARRANGEMENT:** Chronological

**ANNUAL ACCUMULATION:** 20.00 cubic feet.

**DESCRIPTION:**

These files are created primarily by financial institutions and information businesses. This information is used to determine personal property liens against individuals and businesses. These liens are established when personal property is purchased through established credit plans. The person or business who furnish these credit plans submit them to the Department of Commerce, Division of Commercial Code. Searches for this data are requested daily for loan closings and business ventures. Amendments to the records are often requested by institutional parties which necessitate changes to the data. This information is collected on three forms. Form UCC-1, is the Uniform Commercial Code's Financing Statement; UCC-2, is a Request for Information or Copies; and UCC-3, is a Statements of Continuation, Partial Release, Assignment form. Information includes current and past address, name, signature, and social security number.

**RETENTION:**

Permanent. Retain for 1 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1992

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after being microfilmed and then transfer to State Records Center. Retain in State Records Center for 1 year and then transfer to State Archives.

Microfilm master: Retain in State Records Center permanently.

Microfilm duplicate: Retain in Office permanently.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6544

**TITLE:** Personal property lien case files

(continued)

Microfiche master: Retain in Archives permanently.

Microfiche duplicate: Retain in Archives permanently.

**APPRAISAL:**

These records have administrative, and/or historical value(s).

This disposition is based on the secondary historical value to researchers interested in financial activity in Utah and the needs expressed by the agency.

**PRIMARY DESIGNATION:**

Public                      All other information

**SECONDARY DESIGNATION(S):**

Private.                      Social security number

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81222

3

**TITLE:** Request for information or copies of financing statements

**DATES:** 1986-

**ARRANGEMENT:** Alphabetical by name

**DESCRIPTION:**

These are forms filed with the division by individuals requesting copies of financing statements. It is used by the division as a reference in case questions arise as to when the information was sent. The information on these forms includes the debtor's name, address, and social security number or employer identification number; the requesting party's name and address; the date and time of filing and the filing number; the information requested; the file number; the date of filing of each transaction; the collateral covered; the names of the secured parties and assignees; and a certification by the division.

**RETENTION:**

Retain for 1 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then destroy.

**APPRAISAL:**

These records have administrative value(s).

This record has only administrative value.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 81222

**TITLE:** Request for information or copies of financing statements

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 26229

3

**TITLE:** Series limited liability company files

**DATES:** 2006-

**ARRANGEMENT:** Numerical by file number, thereunder chronological by date scanned

**ANNUAL ACCUMULATION:** 10.00 cubic feet.

**DESCRIPTION:**

Records in this series are created as part of the process of forming a Series Limited Liability Company (LLC). The Series LLC was established by the 2006 Legislature. The purpose of this series is to differentiate between Series LLC records and those of normal LLCs (Series 13993). These records include records that pertain to the formation of Series LLCs, including the documents for formation, change forms, dissolutions, and amendments. UCA Title 48 (2006) governs the records in this series.

**RETENTION:**

Permanent. Retain for 30 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/2006

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives with authority to weed.

Digital image: Retain in Office until administrative need ends and then delete.

**APPRAISAL:**

These records have administrative, and/or historical value(s).  
Historical value based on the value of these records to researchers of company histories in Utah.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 26229

**TITLE:** Series limited liability company files

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16641

3

**TITLE:** Summons and complaint log

**DATES:** 1984-

**ARRANGEMENT:** Alphabetical by name

**DESCRIPTION:**

This is a log indicating when summons and complaints were received and forwarded by the division.

This series includes the name and address of the serving attorney, the name of the court, the county, the plaintiff's name, the defendant's name and address, the date the summons was received, the date it was mailed, the name of the addressee, and the date of return of service.

**RETENTION:**

Retain for 5 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 5 years and then destroy.

**APPRAISAL:**

These records have administrative, and/or legal value(s).

UCA 16-10-13(3) requires the division to keep a record of all processes, notices and demands served upon it. The code does not specify how long the record is to be kept or why. Discussion with the staff shows that they have no reference to the file after a year. However, due to the specific code reference, the potential legal consequences of the record, and the relatively small volume, a five year retention is recommended.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16640

3

**TITLE:** Summons and complaints

**DATES:** 1976-

**ARRANGEMENT:** Alphabetical by defendant name

**DESCRIPTION:**

These are summons and complaints served on the department by the court when the corporate registered agent cannot be located, or when a corporation has no registered agent listed. According to UCA 16-10-13(2), the department may be served with the summons. The department must forward the summons by registered mail to the corporation. The significance of this record is to show that all efforts were made to serve the defendant. If the defendant fails to appear in a court, a judgement is entered against him. The defendant has three months after judgement was entered to show he was not served a summons and have it overturned.

The information includes the names of the plaintiff and defendant, the court of jurisdiction, the case number, the name and address of the plaintiff's attorney, the terms and the date of summons, the reason for the complaint, the date of the summons, and the date the summons was served at the Department of Business Regulations.

**RETENTION:**

Retain for 1 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after summons has been served and then destroy.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16640

**TITLE:** Summons and complaints

(continued)

**APPRAISAL:**

These records have administrative, and/or legal value(s).  
Serving the department a summons is outlined in UCA 16-10-13(2).  
According to the Rules of Civil Procedure Part VII, rule 60(b),  
the defendant has three months after the judgment was entered to  
have it overturned by showing that he/she was not served with the  
summons. Retaining this record for one year should be sufficient  
to cover this appeal period.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16653

3

**TITLE:** Suspension, delinquency, and returned mail notices

**DATES:** 1979-

**ARRANGEMENT:** Numerical by corporate number

**DESCRIPTION:**

This is a microfilm that combines the above three records series. Notices of Suspension (6919) are notices sent to corporations by the department that their certificate of incorporation is being suspended for a year due to their failure to comply with all aspects of the law. Notices of Delinquency (16649) are notices from the Tax Commission to the Department of Business Regulation that a corporation has failed to pay its taxes. Returned Mail (16647) is mail returned to the division as undeliverable. This includes the date of the suspension or notice of delinquency, the reason for the suspension, the terms by which the corporation may remove the suspension, and the name and address of the corporation.

**RETENTION:**

Retain for 5 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Microfilm master: Retain in Office for 5 years and then destroy.

**APPRAISAL:**

These records have administrative, and/or legal value(s). The retention for this records series is the same as for the longest retention for the three independent records series on this microfilm.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6920

3

**TITLE:** Trademark files

**DATES:** 1985-

**ARRANGEMENT:** Chronological by date scanned, thereunder by type of document

**DESCRIPTION:**

This is the record of registration of trade or service marks used by persons or corporations in this state. By filing the trademark with the state, the applicant reserves the right to use that trademark exclusively and may bring action against anyone who used any reproduction, counterfeit, copy or imitation of that trademark. The trademark is active for ten years and must be renewed six months prior to date of expiration. When a trademark has not been renewed, it becomes inactive. This information is entered into the data system, and is used to generate lists and reports.

This series includes an application for registration of Trade-Mark or Service Mark, all related correspondence, name of the applicant, place and date of partnership, the place and date of incorporation, and corporation status (domestic, foreign).

This record is used for research and to answer public inquiry.

Trademarks are not filed in the Corporation File.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 10 years and then transfer to State Archives provided entity has expired.

Microfilm master: Retain in State Records Center permanently.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 6920

**TITLE:** Trademark files

(continued)

Microfilm duplicate: Retain in Office permanently.

Computer magnetic storage media: Retain in Office for 30 days after expiration and then erase.

Computer data files: Retain in Office permanently.

**APPRAISAL:**

These records have administrative, historical, and/or legal value(s).

Registration of a trademark is required under UCA Title 70.

Retention of trademark is outlined in UCA 70-3-6.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16670

3

**TITLE:** Trademark renewals and amendment files

**DATES:** 1984-

**ARRANGEMENT:** numerical by trademark number

**DESCRIPTION:**

This is a record of renewals and amendments filed for a trademark by a corporation.

The information in these files includes the trademark number, the name of the trademark, the expiration date, and the name to whom the trademark is registered.

**RETENTION:**

Retain for 50 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 03/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Records Center for 50 years and then destroy.

**APPRAISAL:**

These records have administrative value(s).

Trademarks are valid for ten years so the file will be updated at least once every ten years.

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16670

**TITLE:** Trademark renewals and amendment files

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Corporations and Commercial Code

**SERIES:** 16683

3

**TITLE:** Trademarks file list

**DATES:** undated

**ARRANGEMENT:** None

**DESCRIPTION:**

This is a report file in the Corporation Data System. It is used to generate reports on the trademarks that are currently registered in the state.

The information includes the corporation number, the name of the trademark, the date of registration, and the trademark number.

**RETENTION:**

Retain for 1 month(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

Computer data files: Retain in Office for 1 month and then delete.

**APPRAISAL:**

These records have administrative value(s).

This information is updated monthly.