

Arkansas Secretary of State
Uniform Commercial Code, Article 9
Administrative Rules
Effective Date: December 1, 2010

Table of Contents

Section 1. General Provisions	5
100 Definitions.	5
101 Means to deliver UCC records; time of filing	6
102 Search request delivery	7
103 Forms	7
104 Fees	7
105. Reserved	7
106 Methods of payment	7
107 Overpayment and underpayment policies	8
108 Public records services	8
109 Fees for public records services	9
Section 2. Acceptance and Refusal of Records	9
200 Role of filing officer	9
201 Time for filing a continuation statement	9
202 Grounds for refusal	10
203 Procedure upon refusal	10
204 Refusal errors	10
205 Notification of defects	10
Section 3. UCC Information Management System	11
300 General	11
301 Primary data elements	11
302 Individual debtor names	12
303 Organization debtor names	12
304 Estates	13
305 Trusts	13
306 Initial financing statement	13
307 Amendments generally	13
308 Continuation statement	14
309 Termination	14
310 Correction statement	14
311 Filing officer statement	14
312 Procedure upon lapse	14
313 Removal of record	14
Section 4. Filing and Data Entry Procedures	15
400 Errors of the filing office	15
401 Data entry	15
402 Verification of data entry	15
403 Reserved	15
404 Notice of bankruptcy	15

Section 5. Search Requests and Reports	15
500 General requirements	15
501 Search requests – required information	15
502 Search requests - optional information	16
503 Search methodology	16
504 Changes in standard search logic	18
505 Search responses	18
506 Search responses for specific copies	20
Section 6. Agricultural Liens and Farm related Security Interests	21
Section 7. Other Notices of Liens	21
Section 8. Food Security Act of 1985	22

**Arkansas Secretary of State
Business and Commercial Services Division**

Street Address

Victory Building Suite 250
1401 West Capitol Avenue
Little Rock AR 72201

Office Hours

Monday - Thursday 8:00 am – 5:00 pm
Friday 8:00 am – 4:30 pm
Closed State Holidays

Mailing Address

Business and Commercial Services
State Capitol Building
Little Rock AR 72201

Telephone: 501-682-3409
Toll Free : 1-888-233-0325

FAX: 501-682-3500

Website and Online Filing: www.sos.arkansas.gov

Section 1. General Provisions

100 Definitions. Terms used in these filing-office rules but not defined in this Section that are defined in the UCC shall have the respective meanings accorded such terms in the UCC.

100.1 Active Record. "Active Record" means a UCC record that has been stored in the UCC information management system and indexed in, but not yet removed from, the Searchable Indexes.

100.2 Address. "Address" means information provided as an address on a UCC record as long as it includes at least a city and a state or foreign country.

100.3 Amendment. "Amendment" means a UCC record that amends the information contained in a financing statement. Amendments include assignments, continuations and terminations.

100.4 Assignment. "Assignment" is an amendment that assigns all or a part of a secured party's power to authorize an amendment to a financing statement.

100.5 Correction statement. "Correction statement" means a UCC record that indicates that a financing statement is inaccurate or wrongfully filed.

100.6 Filing office/officer. "Filing office" and "filing officer" mean the Arkansas Secretary of State.

100.7 Filing officer statement. "Filing officer statement" means a statement entered into the filing office's information system to correct an error made by the filing office or add additional information.

100.8 Initial financing statement. "Initial financing statement" means a UCC record that causes the filing office to establish the initial record of filing of a financing statement.

100.9 Remitter. "Remitter" means a person who tenders a UCC record to the filing officer for filing, whether the person is a filer or an agent of a filer responsible for tendering the record for filing. "Remitter" does not include a person responsible merely for the delivery of the record to the filing office, such as the postal service or a courier service but does include a service provider who acts as a filer's representative in the filing process.

100.10 Searchable indexes. "Searchable indexes" means the searchable index of individual debtor names and the searchable index of organization debtor names maintained in the UCC information management system.

100.11 Secured party of record. "Secured party of record" includes a secured party of record as defined in the UCC as well as person who has been a secured party of record with respect to whom an amendment has been filed purporting to delete them as a secured party of record.

100.12 UCC. "UCC" means the Uniform Commercial Code as adopted in this State.

100.13 UCC information management system. "UCC information management system" means the information management system used by the filing office to store, index, and retrieve information relating to financing statements as described in Section 3 of these filing-office rules.

100.14 UCC record. "UCC record" means an initial financing statement, an amendment, an assignment, a continuation statement, a termination statement, a filing officer statement or a correction statement, and includes a record thereof maintained by the filing office. The term shall not be deemed to refer exclusively to paper or paper-based writings.

100.15 Unlapsed record. "Unlapsed record" means a UCC record that has been stored and indexed in the UCC information management system, which has not yet lapsed under A.C.A 4-9-515 with respect to all secured parties of record.

101 Means to deliver UCC records; time of filing. UCC records may be tendered for filing at the filing office as follows.

101.1 Personal delivery by Remitter, at the filing office's street address. The file time for a UCC record delivered by this method is when delivery of the UCC record is taken by the filing office (even though the UCC record may not yet have been accepted for filing and subsequently may be rejected). This rule applies only to a Remitter who tenders a UCC record to the filing office and awaits an immediate determination of whether or not the UCC record will be taken or not.

101.2 Courier delivery by a person other than a Remitter, at the filing office's street address. The file time for a UCC record delivered by this method is, notwithstanding the time of delivery, at the earlier of the time the UCC record is first examined by a filing officer for processing (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected), or the next close of business following the time of delivery. This rule does not apply to a courier who is acting as an agent of the Remitter and who tenders a UCC record to the filing office and awaits an immediate determination of whether or not the UCC record will be taken or not under rule 101.1. A UCC record delivered after regular business hours or on a day the filing office is not open for business will have a filing time of 10 a.m. on the next day the filing office is open for business.

101.3 Postal service delivery, to the filing office's mailing address. The file time for a UCC record delivered by this method is 10:00 a.m. on the day of delivery (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected). A UCC record delivered after regular business hours or on a day the filing office is not open for business will have a filing time 10:00 a.m. on the next day the filing office is open for business.

101.4 Electronic mail and tele-facsimile (FAX) delivery, to the filing office's e-mail address or the filing office's fax filing telephone number, are **not accepted**.

101.5 Electronic filing. UCC are not accepted in the XML Language.

101.6 Direct on-line or web page data entry. UCC records may be delivered by on-line Data entry using the filing office's website on the internet. Website data entry and payment procedures are available as provided at www.sos.arkansas.gov. The file time for a UCC record delivered by this method is the time the entry of all required elements of the UCC record in the proper format is acknowledged by the on-line entry system.

101.7 Means of communication. Regardless of the method of delivery, information submitted to the UCC filing office must be communicated only in the form of characters that are defined in an acceptable character set. A financing statement or amendment form that does not designate separate fields for organization and individual names, and separate fields for first, middle and last names and suffixes for individual names is not an acceptable means of communication to the filing office.

101.8 Transmitting utility, manufactured-home and public-finance transactions. The only means to indicate to the filing office that an initial financing statement is being filed in connection with a manufactured-home or public-finance transaction, or that a financing statement is being or has been filed against a debtor that is a transmitting utility, in order to affect the filing office's determination of the lapse date under rule 306.3 or rule 307, is to so indicate by checking the appropriate box on a UCC1 Addendum filed with respect to the financing statement or by transmitting the requisite information in the proper field in an electronic filing that is such initial financing statement or is part of such financing statement.

102 Search request delivery. UCC search requests may be delivered to the filing office by any of the means by which UCC records may be delivered to the filing office. A search request may **not** be delivered by checking a box or otherwise including a search request in or on an initial financing statement, but may be delivered in or on a separate search request. If a search request is delivered at the same time as the initial financing statement, the search will be made after the initial financing statement is filed.

103 Forms. The forms prescribed by A.C.A.4-9-521 are accepted by the filing office. Paper-based forms approved by the International Association of Commercial Administrators from time to time shall be accepted. A list of forms approved by the filing office will be made available on request.

104 Fees. The fee for filing a UCC record is prescribed by A.C.A. 4-9-525.

104.1 Federal tax lien - The fee for filing a federal tax lien is \$3.00.

105. Reserved

106 Methods of payment. Filing fees and fees for public records services may be paid by the following methods.

- 106.1 Cash. Payment in cash shall be accepted if paid in person at the filing office.
- 106.2 Checks. Personal checks, cashier's checks and money orders made payable to the filing office shall be accepted for payment provided that the drawer (or the issuer in the case of a cashier's check or money order) is deemed creditworthy by the filing office in its discretion.
- 106.3 Electronic funds transfer. The filing office may accept payment via electronic funds transfer under National Automated Clearing House Association ("NACHA") rules from remitters who have entered into appropriate NACHA-approved arrangements for such transfers and who authorize the relevant transfer pursuant to such arrangements and rules.
- 106.4 Prepaid . The filing office's information system records each remitter's submissions to a submitter account. The filing officer shall deduct filing fees from the remitter's prepaid account when filings or information requests are received from the remitter and shall provide the remitter with a monthly statement of transactions recorded to the account.
- 106.5 Credit cards. The filing office shall accept payment by credit cards issued by approved issuers. Remitters shall provide the filing officer with the card number, the authorization code, the expiration date of the card, the name of the card issuer, the name of the person or entity to whom the card was issued and the billing address and phone number for the card. Payment will not be deemed tendered until the issuer or its agent has confirmed payment.
- 106.6 Reserved

107 Overpayment and underpayment policies.

- 107.1 Overpayment. Any overpayment will be held in the filer's submitter account to be applied to future transaction(s). A request for the return of any of these funds must be made in writing on the filer's letterhead.
- 107.2 Underpayment. Upon receipt of a document with an insufficient fee, the filing officer shall return the document to the remitter as provided in Section 2.

108 Public records services. Public records services are provided on a non-discriminatory basis to any member of the public on the terms described in these rules. The following methods are available for obtaining copies of UCC documents and copies of data from the UCC information management system.

- 108.1 Individually identified documents. Copies of individually identified UCC documents are available in the form of copies of images produced by the filing office's information system if copies are of documents contained in that system.
- 108.2 Copies of multiple documents. Copies of multiple UCC documents are available in the form of copies of images produced by the filing office's information system if

copies are of documents contained in that system.

108.3 Data from the information management system. A list of available data elements from the UCC information management system, the images contained on the system and the file layout of the data elements are available from the filing officer upon request. Data from the information management system is available as follows.

108.3.1 Full extract. A bulk data extract of information from the UCC information management system is available in an electronic format. Check with the on-line service provider for the available receipt mediums.

108.3.2 Update extracts. Updates of information from the UCC information management system are available.

108.3.3 Format. Extracts from the UCC information management system are available by accessing the FTP through the web services provider.

109 Fees for public records services. Fees for public records services are established as follows.

109.1 Copies of individual documents. Fees are as provided in A.C.A. 4-9-525.

109.2 Copies of multiple documents. Fees are as provided in A.C.A. 4-9-525.

109.3 Data from the information management system.

109.3.1 Extracts provided on electronic medium. The fee for full or update data extracts provided on CD-ROM is \$2,000.00 per month.

109.3.2 Extracts accessed via FTP through the web services provider.. The fee for download of data from the server is \$2,000.00 per month.

Section 2. Acceptance and Refusal of Records

200 Role of filing officer. The duties and responsibilities of the filing officer with respect to the administration of the UCC are ministerial. In accepting for filing or refusing to file a UCC record pursuant to these rules, the filing officer does not determine the legal sufficiency or insufficiency of the UCC record, determine that information in the record is correct or incorrect, in whole or in part, or create a presumption that information in the UCC record is correct or incorrect, in whole or in part.

201 Time for filing a continuation statement.

201.1 First day permitted. The first day on which a continuation statement may be filed is the date corresponding to the date upon which the related financing statement would lapse, six months preceding the month in which such financing statement would lapse. If there is no such corresponding date, the first day on which a

continuation may be filed is the last day of the sixth month preceding the month in which the financing statement would lapse. The foregoing rule is subject to the ability of the filing office to take delivery of the continuation statement as tendered and to rule 101.

201.2 Last day permitted. The last day on which a continuation statement may be filed is the date upon which the related financing statement lapses. The foregoing rule is subject to the ability of the filing office to take delivery of the continuation statement as tendered and to rule 101. Accordingly, the time of filing of the continuation statement under rule 101 must be on or prior to such last day and delivery by certain means of communication may not be available on such last day if the filing office is not open for business on such day.

202 Grounds for refusal. In determining under A.C.A.4-9-516 whether or not there is one or more grounds to refuse a UCC record, the filing office will refuse a record that does not provide an address that meets the minimum requirements for an address as set forth in these filing-office rules.

203 Procedure upon refusal. If the filing officer finds grounds to refuse a UCC record, the filing officer will hold the funds in the filer's submitter account to be applied to future transaction(s). The procedure for a refund of these funds is described in rule 107. Communication of the refusal, the reason(s) for the refusal and other related information will be made to the Remitter as soon as practicable and in any event within two business days after the refused UCC record was received by the filing office, by the same means as the means by which such UCC record was delivered to the filing office, or by mail or such more expeditious means as the filing office shall determine. Records of refusal, including a copy of the refused UCC record and the ground(s) for refusal, shall be maintained at least until the first anniversary of the delivery date of the UCC record.

204 Refusal errors. If a secured party or a remitter demonstrates to the satisfaction of the filing officer that a UCC record that was refused for filing should not have been refused under rule 202, the filing officer will file the UCC record with the filing date and time the UCC record was originally tendered for filing. A filing officer statement record relating to the relevant initial financing statement will be placed in the UCC information management system on the date that the corrective action was taken. The filing officer statement must provide the date of the correction and explain the nature of the corrective action taken. The record shall be preserved for so long as the record of the initial financing statement is preserved in the UCC information management system.

205 Notification of defects. Nothing in these rules prevents a filing officer from communicating to a filer or a remitter that the filing officer noticed apparent potential defects in a UCC record, whether or not it was filed or refused for filing. However, the filing office is under no obligation to do so and may not, in fact, have the resources to do so or to identify such defects. The responsibility for the legal effectiveness of filing rests with filers and remitters and the filing office bears no responsibility for such effectiveness.

Section 3. UCC Information Management System

300 General. The filing officer uses an information management system to store, index, and retrieve information relating to financing statements. The information management system includes an index of the names of debtors included on financing statements that are Active Records. The rules in this section describe the UCC information management system.

301 Primary data elements. The primary data elements used in the UCC information management system are the following.

301.1 Identification numbers.

301.1.1 Each initial financing statement is identified by its file number. Identification of the initial financing statement is stamped on written UCC records or otherwise permanently associated with the record maintained for UCC records in the UCC information management system. A record is created in the information management system for each initial financing statement and all information comprising such record is maintained in the system. The record is identified by the same information assigned to the initial financing statement.

301.1.2 A UCC record other than an initial financing statement is identified by a unique file number assigned by the filing officer. In the UCC information management system, records of all UCC records other than initial financing statements are linked to the record of their related initial financing statement.

301.2 Type of record. The type of UCC record from which data is transferred is identified in the UCC information management system from information supplied by the remitter.

301.3 Filing date and filing time. The filing date and filing time of UCC records are stored in the UCC information management system. Calculation of the lapse date of an initial financing statement is based upon the filing date.

301.4 Identification of parties. The names and addresses of debtors and secured parties are transferred from UCC records to the UCC information management system.

301.5 Page count. The total number of pages in a UCC record is maintained in the UCC information management system.

301.6 Lapse indicator. An indicator is maintained by which the information management system identifies whether or not a financing statement will lapse and, if it does, when it will lapse. The lapse date is determined as provided in rules 306.3, 307 and 308.1.

301.7 Indexes of names. The filing office maintains in the UCC information management system a searchable index of organization debtor names, and a searchable index of individual debtor names. The filing office may also maintain a searchable index of

names of secured parties of record. Such an index need not be a separate database but may be comprised of records in the UCC information management system identified to be included in such searchable index.

302 Individual debtor names. For purposes of these rules, an “individual debtor name” is any name provided as a debtor name in a UCC record in a format that identifies the name as that of a debtor who is an individual, without regard to the nature or character of the name or to the nature or character of the actual debtor.

302.1 Individual name fields. Individual debtor names are stored in files that include only the individual debtor names, and not organization debtor names. Separate data entry fields are established for first (given), middle (given), and last names (surnames or family names) of individuals. The name of a debtor with a single name (e.g., “Cher”) is treated as a last name and shall be entered in the last name field. The filing officer assumes no responsibility for the accurate designation of the components of a name but shall accurately enter the data in accordance with the filer’s designations.

302.2 Titles, prefixes and suffixes. Titles, prefixes (e.g. “Ms.”) and suffixes or indications of status (e.g. “M.D.”) are not typically part of a debtor’s name. However, when entering a “name” into the UCC information management system, the data will be entered exactly as they appear.

302.3 Truncation - individual names. Personal name fields in the UCC information management system are fixed in length. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field. The lengths of data entry name fields are as follows.

302.3.1 First name: 100 characters.

302.3.2 Middle name: 100 characters.

302.3.3 Last name: 100 characters.

302.3.4 Suffix: 20 characters.

303 Organization debtor names. For purposes of these rules, an “organization debtor name” is any name provided as a debtor name in a UCC record in a format that identifies the name as that of a debtor who is an organization, without regard to the nature or character of the name or to the nature or character of the actual debtor.

303.1 Single field. Organization debtor names are stored in files that include only organization debtor names and not individual debtor names. A single field is used to store an organization debtor name.

303.2 Truncation -organization names. The organization debtor name field in the UCC database is fixed in length. The maximum length is 300 characters. Although filers should continue to provide full names on their UCC records, a name that exceeds the

fixed length is entered as presented to the filing officer, up to the maximum length of the organization debtor name field.

304 Estates. The debtor name to be provided on a financing statement for a debtor that is an estate is the name of the relevant decedent. In order for the information management system to function in accordance with the usual expectations of filers and searchers, the filer should provide the debtor name as an individual debtor name. However, the filing office will enter data submitted by a filer in the fields designated by the filer exactly as it appears in such fields.

305 Trusts. The debtor name to be provided for a debtor that is a trust or a trustee acting in respect of trust property is the name of the trust as set forth in its organic record(s), if the trust has such a name or, if the trust is not so named, the name of the trust's settlor. In order for the information management system to function in accordance with the usual expectations of filers and searchers, the name of a trust or of a settlor that is an organization should be provided as an organization debtor name, and the name of a settlor who is an individual should be provided as an individual debtor name, and in each case without regard to the nature or character of the debtor. Notwithstanding the foregoing, the filing office will enter data submitted by a filer in the fields designated by the filer exactly as it appears in such fields.

306 Initial financing statement. Upon the filing of an initial financing statement the status of the parties and the status of the financing statement shall be as follows.

306.1 Status of secured party. Each secured party named on an initial financing statement shall be a secured party of record, except that if the UCC record names an assignee, the secured party/assignor shall not be a secured party of record and the secured party/assignee shall be a secured party of record.

306.2 Status of debtor. Each debtor name provided by the initial financing statement shall be indexed in the UCC information management system so long as the financing statement is an Active Record.

306.3 Status of financing statement. The financing statement shall be an Active Record. A lapse date shall be calculated, five years from the file date, unless (i) the initial financing statement indicates as provided in rule 101.8 that it is filed with respect to a public-financing transaction or a manufactured-home transaction, in which case the lapse date shall be thirty years from the file date, or (ii) the initial financing statement indicates as provided in rule 101.8 that it is filed against a transmitting utility, in which case there shall be no lapse date.

307 Amendments generally. Upon the filing of an amendment the status of the parties shall be unchanged, except that in the case of an amendment that adds a debtor or a secured party, the new debtor or secured party shall be added to appropriate index and associated with the record of the financing statement in the UCC information management system, and an amendment that designates an assignee shall cause the assignee to be added as a secured party of record with respect to the affected financing statement in the UCC information management system. Notwithstanding the filing of an amendment that deletes a debtor or

a secured party from a financing statement, no debtor or secured party of record is deleted from the UCC information management system. A deleted secured party will still be treated by the filing office as a secured party of record as the filing office cannot verify the effectiveness of an amendment. In general, the filing of an amendment does not affect the status of the financing statement, but an amendment that indicates that the debtor is a transmitting utility will cause the filing office to reflect in the information management system that the amended financing statement has no lapse date.

308 Continuation statement.

308.1 Continuation of lapse date. Upon the timely filing of one or more continuation statements by any secured party(ies) of record, the lapse date of the financing statement shall be postponed for five years. The lapse date is postponed once notwithstanding the fact that more than one continuation statement is filed within a given 6-month period prior to a lapse date. Notwithstanding the immediate postponement of the lapse date with respect to one or more secured parties of record who file timely a continuation statement within a given 6-month period prior to a lapse date, such lapse date remains effective solely for purposes of determining whether or not a subsequent continuation statement filed in the same 6-month period is timely.

308.2 Status. The filing of a continuation shall have no effect upon the status of any party to the financing statement or upon the status of the financing statement.

309 Termination. The filing of a termination shall have no effect upon the status of any party to the financing statement or upon the status of the financing statement..

310 Correction statement. The filing of a correction statement shall have no effect upon the status of any party to the financing statement, the status of the financing statement or to the information maintained in the information management system.

311 Filing officer statement. A filing officer statement affects the status of parties and of the relevant financing statement as provided in the corrective action described as having been taken in the filing officer statement.

312 Procedure upon lapse. If there is no timely filing of a continuation with respect to a financing statement, the financing statement lapses on its lapse date but no action is then taken by the filing office.

313 Removal of record. A financing statement must remain as an Active Record until at least one year after it lapses, or if it is indicated to be filed against a transmitting utility, until at least one year after it is terminated with respect to all secured parties of record. On or after the first anniversary of such lapse or termination date, the filing office or the UCC information management system may remove the financing statement and all related UCC records from the Searchable Indexes or from the UCC information management system and upon such removal, the removed UCC Records shall cease to be Active Records.

Section 4. Filing and Data Entry Procedures

400 Errors of the filing office. The filing office may correct data entry and indexing errors of filing office personnel in the UCC information management system at any time. If a correction is made to a record of a financing statement after the filing office has issued a search report with a through date and time (see rule 505.3.4) that is on or after the filing date and time of the financing statement, the filing office will associate with the record of the financing statement in the UCC information management system a filing officer statement on the date that the corrective action was taken providing the date and an explanation of the correction.

401 Data entry. Data are entered into the UCC information management system exactly as provided in an initial financing statement or an amendment, without regard to apparent errors. Data provided in electronic form is transferred to the information management system exactly as submitted by the filer without re-keying. Data provided on a paper-based form is keyed (or scanned) into the system exactly as it appears. If a UCC record is tendered that provides characters not permitted under rule 101.7 on a paper-based form, and the filing office nevertheless accepts the form for filing, the filing office will substitute, the English equivalent character (à = a) in its information management system.

402 Verification of data entry. The filing office will periodically test its electronic filing intake systems to ensure that data from UCC records that are transmitted electronically to the filing office or electronically scanned by the filing office are accurately transferred into the UCC information management system. Data from UCC records that are keyed (or scanned) by the filing office into the UCC information management system are verified by review of the data, except that debtor name data are verified by double-blind keying. Data entry performed by filers or remitters with respect to electronically filed UCC records is the responsibility of the filer and is not verified by the filing office.

403 Reserved (Global Amendments)

404 Notice of bankruptcy. The filing officer shall take no action upon receipt of a notification, formal or informal, of a bankruptcy proceeding involving a debtor named in the UCC information management system.

405 Reserved (Redaction)

Section 5. Search Requests and Reports

500 General requirements. The filing officer maintains for public inspection a searchable index for all Active Records in the UCC information management system. Active Records will be retrievable by the name of the debtor or by the file number of the related initial financing statement, and each Active Record related to an initial financing statement is retrieved with the initial financing statement using either retrieval method.

501 Search requests – required information. Search requests shall include the following:

501.1 Name searched. A search request must set forth the name of the debtor to be

searched using designated fields for organization and individual first, middle and last names. A search request will be processed using the data and designated fields exactly as submitted, including the submission of no data in a given field, without regard to the nature or character of the debtor that is the subject of the search.

501.2 Requesting party. The name and address of the person to whom the search results is to be sent.

501.3 Fee. The appropriate fee shall be tendered by a method described in rule 106.

501.4 Reserved (Search Logic)

502 Search requests - optional information. Search requests may include the following:

502.1 Copies. The request may limit the copies of UCC records that would normally be provided with a search report by requesting that no copies be provided.

502.2 Scope of search. A search request may ask for a search that reports all Active Records retrieved by the search rather than only Unlapsed Records retrieved by the search.

502.3 Mode of delivery. A search request may specify a mode of delivery for search results and that request will be honored if the requested mode is made available by the filing office, and all requisite fees are tendered.

502.4 Search request with filing. If a filer requests a search at the time an initial financing statement is filed by submitting a search request with the initial financing statement at the time it is tendered for filing, the search request shall be deemed to request a search to be conducted as soon as practicable such that it would include all relevant UCC records filed on or prior to the date the initial financing statement is filed. Search requests made on an UCC1 by "checking the box" will **not** be processed. The searcher will be notified to make a search request on a UCC11.

503 Search methodology. Search results are produced by the application of search logic to the name presented to the filing officer. Human judgment does not play a role in determining the results of the search.

503.1 Standard search logic. The following rules describe the filing office's standard search logic and apply to all searches:

503.1.1 There is no limit to the number of matches that may be returned in response to the search criteria.

503.1.2 No distinction is made between upper and lower case letters.

503.1.3 The character "&" (the ampersand) is deleted and replaced with the

characters “and” each place it appears in the name.

503.1.4 Punctuation marks and accents are disregarded. For the purposes of this rule, punctuation and accents include all characters other than the numerals 0 through 9 and the letters A through Z (in any case) of the English alphabet.

503.1.5 The following words and abbreviations at the end of an organization name that indicate the existence or nature of the organization are “disregarded” to the extent practicable as determined by the filing office’s programming of its UCC information management system:

Agency, Association, Assn, Associates, Assc, Assoc, Attorneys at Law, Bank, National Bank, Business Trust, Charter, Chartered, Company, Co, Corporation, Corp, Credit Union, CU, Federal Savings Bank, FSB, General Partnership, Genpart, GP, Incorporated, Inc, Limited, Ltd, Ltee, Limited Liability Company, LC, LLC, LLLP, Limited Liability Partnership, Limited Liability Limited Partnership LLP, Limited Partnership, LP, Medical Doctors Professional Association, MDPA, Medical Doctors Professional Corporation, MDPC, National Association, NA, Partners, Partnership, Professional Association, Prof Assn, PA, Professional Corporation, Prof Corp, PC, Professional Limited Liability Company, Professional Limited Liability Co, PLLC, Railroad, RR, Real Estate Investment Trust, REIT, Registered Limited Liability Partnership, RLLP, Savings Association, SA, Service Corporation, SC, Sole Proprietorship, SP, SPA, Trust, Trustee, As Trustee.

503.1.6 The word “the” at the beginning of an organization debtor name is disregarded.

503.1.7 All spaces are disregarded.

503.1.8 For first and middle names of individual debtor names, initials are treated as the logical equivalent of all names that begin with such initials, and first name and no middle name or initial is equated with all middle names and initials. For example, a search request for “John A. Smith” would cause the search to retrieve all filings against all individual debtors with “John” or the initial “J” as the first name, “Smith” as the last name, and with the initial “A” or any name beginning with “A” in the middle name field. If the search request were for “John Smith” (first and last names with no designation in the middle name field), the search would retrieve all filings against individual debtors with “John” or the initial J as the first name, “Smith” as the last name and with any name or initial or no name or initial in the middle name field.

503.1.9 If the name being searched is the last name of an individual debtor name without any first or middle name provided, the search will retrieve from the UCC information management system all Unlapsed Records or, if requested by the searcher, all Active Records that pertain to financing statements with individual debtor names that consist of such last name, any or no middle name or initial and no first name.

503.1.10 After using the preceding rules to modify the name being searched, the search will retrieve from the UCC information management system all Unlapsed Records, or, if requested by the searcher, all Active Records, that pertain to financing statements with debtor names that, after being modified as provided in this rule 503, exactly match the modified name being searched.

504 Changes in standard search logic. If the filing office changes its standard search logic or the implementation of its standard search logic in a manner that could alter search results, the filing office will provide public notice of such change.

505 Search responses. Response to a search request shall include the following:

505.1 UCC Record Request Acknowledgement. The record request acknowledgement shall contain the following.

505.1.1 Filing office identification. Identification of the filing office responsible for the search report.

505.1.2 Requester. The name and address to which the request is to be returned.

505.1.2 Document number. The document number of the Information Request Form (UCC-11)

505.1.3 Record Request Items. List of request items, item fee and total fee charged for search.

505.2 Copy of Information Request. File marked copy of information request form (UCC-11)

505.3 UCC Filing Search records report. The filing office shall include the following information on a report for each search:

505.3.1 Filing office identification. Identification of the filing office responsible for search report.

505.3.2 Through date. The date at or prior to which a UCC record must have been filed with the filing office in order for it to be reflected on the search.

505.3.2 Search date and time. The date and time the report was generated

505.3.3 Search Criteria: A summary of the search criteria used to complete the search

505.3.4 Identification of financing statement. Identification of each initial financing statement, including a listing of all related amendments, correction statements, or filing officer notices, filed on or prior to the

through date corresponding to the search criteria (including whether the searcher has requested Active Records or only Unlapsed Records). Financing statement information shall include, but is not limited to the following:

505.3.4.1 Initial financing statement file number. The initial financing statement file number.

505.3.4.2 Filing Type. Description of filing type.

505.3.4.3 Initial financing statement filing date and time. The date and time it was filed.

505.3.4.4 Lapse date. Provide lapse date as calculated as of the through date and time.

505.3.4.5 Number of pages. Number of pages in filing.

505.3.4.6 Debtor name. The debtor name(s) that appear(s) of record.

505.3.4.7 Debtor address. The debtor address(s) that appear(s) of record.

505.3.4.8 Secured party name. The secured party name(s) that appear(s) of record.

505.3.4.9 Secured party address. The secured party address(es) that appear(s) of record.

505.3.4.10 Amendment type. An indication of type of each amendment, if any.

505.3.4.11 Amendment filing date and time. The date and time each amendment, if any, was filed.

505.3.4.12 Amendment file number. The amendment file number of each amendment, if any.

505.3.4.13 Correction statement filing date and time. The date and time a Correction statement, if any, was filed.

505.3.4.14 Filing officer statement filing date and time. The date and time a filing officer statement, if any, was filed.

505.3.4 Certification language. A report created by the filing officer in response to a request shall contain the following statement:

If the search returned results (copies request):

The undersigned, as Secretary of State of Arkansas, hereby certifies that the above is a listing of all available documents now in my lawful custody and possession, as the same are filed in the Uniform Commercial Code Section of my office as of 10/10/2010 at 11:59 pm and which name the above debtor. My acceptance for filing and custody of these documents in no way confirms, denies, or implies, legal effect, or enforceability of the attached documents.

If the search returned results (no copies request):

The undersigned, as Secretary of State of Arkansas, hereby certifies that the above is a listing of all available documents now in my lawful custody and possession, as the same are filed in the Uniform Commercial Code Section of my office as of 10/10/2010 at 11:59 pm and which name the above debtor. My acceptance for filing and custody of these documents in no way confirms, denies, or implies, legal effect, or enforceability of the attached documents.

If the search returned no results:

...that there are NO DOCUMENTS FILED in the Uniform Commercial Code section of my office as of mm/dd/yyyy at 11:59 pm which name the above Debtor.

505.4 Copies. Copies of all UCC records retrieved by the search unless no copies are requested.

506 Search responses for specific copies only. Response to a search request for specific copies only shall include the following:

506.1 UCC Record Request Acknowledgement. The record request acknowledgement shall contain the following.

506.1.1 Filing office identification. Identification of the filing office responsible for search report.

506.1.2 Requester. The name and address to which the request is to be returned.

506.1.2 Document number. The document number of the Information Request Form (UCC-11)

506.1.3 Record Request Items. List of request items, item fee and total fee charged for search.

506.2 Copy of Information Request. File marked copy of information request form (UCC-11)

506.3 Certificate. The filing office shall include the following information on a certificate for each request:

506.3.1 Filing office identification. Identification of the filing office responsible for the certificate.

506.3.2 Search Criteria: A summary of the search criteria used to complete the search.

506.3.3 File number. The file number of the document.

506.3.4 Date Filed. The date the document was filed.

506.3.5 Time filed. The time the document was filed.

506.3.6 Type of document. The type of document filed.

505.3.7 Certification language. A certificate created by the filing officer in response to a request shall contain the following statement:

In Testimony Whereof. I have hereunto set my hand and
Affixed hereto the Seal of the Secretary of State of Arkansas.

506.3.8 Certification date and time. The date and time the certificate was generated.

506.4 Copies. Copies of all UCC records retrieved by the request for specific copies only.

Section 6. Agricultural Liens and Farm-related Security Interests

600 Agricultural Liens and Farm-related Security Interests. Act 942 of 2009 provides for central filing with the Secretary of State for agricultural liens and farm-related security interests. See rule # 116.00.09.002 for transition provisions

Section 7. Other Notices of Liens

700 Federal Tax Liens. Notices of federal tax liens are filed and maintained in the UCC information management system.

700.1 Data Entry and Indexing. Data entry and indexing of federal tax liens are performed in the same manner as they are performed for the UCC information management system. The process is noted in Section 4.

700.2 Search Requests and Reports. Search requests and reports of federal tax liens are performed in the same manner as they are performed for the UCC information management system. The process is noted in Section 5.

700.3 Fees. The fees for filings and searches of federal tax liens are the detail in rule 104.

Section 8. Food Security Act of 1985

800. Food Security Act of 1985. The Arkansas Secretary of State's UCC information management system is **not** certified by the United States Department of Agriculture as a central filing system under the Food Security Act of 1985.