



SECRETARY OF STATE
MARK MARTIN

Division of Business and Commercial Services
Victory Building, Suite 250
1401 West Capitol Avenue
Little Rock, Arkansas 72201

www.sos.arkansas.gov



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and certifications: the what, how and why of these internationally-important documents.

We are introducing a new feature in this issue: "Arkansas's Business Icons." The series will highlight some of the state's most notable business leaders and enduring companies.

As always, I encourage you to contact our BCS division with any questions or issues. We are here to serve Arkansas businesses. Please do not hesitate to call us if we can help you.

UPCOMING DEADLINE

**Final Date to File
Corporate Dissolution
December 31, 2012**

For more information visit www.sos.arkansas.gov or contact Business & Commercial Services (501) 682-3409 • (888) 233-0325

Making Your Company's Mark

When filing an application for a trademark or service mark, it is important to convey an accurate description of the mark for which you are applying. This information is stated on question number 8 of the application. You may include in your description the colors and most distinctive part of the mark (*Example: NIKE. Black letters on a white background above an extended bold, black check mark*). The description is limited to 250 characters, so be accurate and concise when describing the trademark.

You must also submit three original specimens of the mark (letterhead, business cards, advertisements, labels, etc.), along with your application. Currently, filing for a trademark must be done in person or via postal mail. All descriptive information provided by the applicant on No. 8 of the application will be included on the Trademark/Service Mark certificate once the application has been approved and processed.

The fee to file a trademark or service mark application is \$50. Marks are protected on our records for a period of five years from the filing date.

Information and applications for trademarks and service marks are available on the Secretary of State's website at: bit.ly/ArkTrademark.

What are Apostilles and Certifications?

On October 15, 1981, the United States became part of the 1961 Hague Convention. The convention abolished the requirements for the legalization of foreign public documents and simplified the authentication process of documents to be used in member nations.

The Arkansas Secretary of State's office has been designated as the competent authority for the State of Arkansas as the only place that may issue Apostilles and Certifications. The Secretary of State's Office authenticates the signatures of the officials who have notarized or certified the documents.



An apostille is a certificate that authenticates the origin of a public document, such as a birth, marriage or death certificate, a judgment or an extract of a register or a notarial attestation.

You will need an apostille if all of the following apply:

- ◆ The country where the document was issued is party to the Apostille Convention; and
- ◆ The country in which the document is to be used is party to the Apostille Convention; and
- ◆ The law of the country where the document was issued considers it to be a public document; and
- ◆ The country in which the document is to be used requires an apostille in order to

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The Secretary's Minute

Our Goal: To provide Excellent, Efficient Services, For YOU

Mark Martin

ARKANSAS SECRETARY OF STATE

Summer greetings to the Arkansas business community. This has been a busy and productive year here at the Secretary of State's office, and I hope it has been the same for your business.

As we explained in the last issue of *Arkansas, Inc.*, we have revamped our computer system to become more customer-friendly and to better fit the needs of the business community. We are receiving positive feedback about that change, and we look forward to keeping this system updated to better serve you.

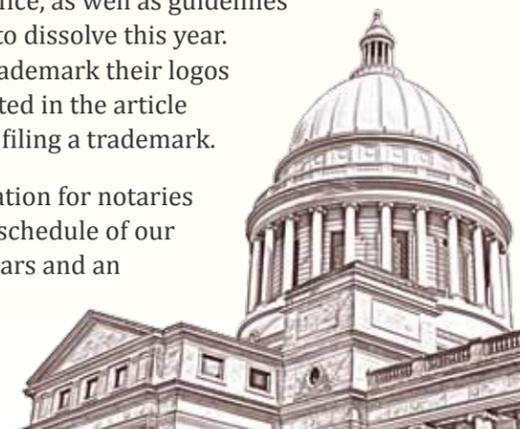
We are constantly examining the services we offer and how we deliver those services. We periodically review products, vendors, staff and procedures to provide excellent, efficient service.

We are constantly examining the services we offer and how we deliver those services.

In this issue of *Arkansas, Inc.*, you will find a reminder of various deadlines for filing reports with our office, as well as guidelines for businesses choosing to dissolve this year. Businesses wanting to trademark their logos will be especially interested in the article offering helpful hints for filing a trademark.

You can also find information for notaries public, including the fall schedule of our free informational seminars and an explanation of apostilles

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recognize it as a foreign public document.

A list of countries who have joined the Apostille Convention is located at: www.hcch.net

For those countries who have not joined the Apostille Convention, a certification is used in place of an apostille.

You should always contact the embassy or the consulate of the country where you intend to use the document in order to find out what is required in the document legalization process.

Note: It is the responsibility of the requesting party to determine which type of authenticating document is required by the country where the document will be sent.

Checklist for Obtaining an Apostille or Certification:

This process requires strict adherence to specific document standards. The Arkansas Secretary of State will not authenticate documents that do not comply with the following standards. Please take time to read all instructions carefully. If your documents do not meet the standards, they will not be authenticated until corrected.

1. Have all documents properly notarized by an Arkansas notary public.
 - a. Ensure that they contain an acknowledgement statement for every signature on each document
 - b. Ensure all documents in a foreign language have been translated to English and contain a proper affidavit from the translator and notarial acknowledgement from an Arkansas notary public.
2. Submit documents to be apostilled or certified and the proper fees to the Arkansas Secretary of State's Office, Victory Building, Suite 250, 1401 W. Capitol, Little Rock, AR 72201.
 - ◆ **Apostilles:** \$10 per document
 - ◆ **Certifications:** \$5 per document

Arkansas's Business Icons: Winthrop Rockefeller

Arkansas celebrates the 100th birthday of Winthrop Rockefeller this year with events throughout the state. The Secretary of State has a permanent reminder of Winthrop Rockefeller, or "Win" as he was known. Win was Governor of Arkansas from 1967 to 1971. His portrait hangs in the State Capitol, in the care of the Secretary of State.

Before Rockefeller became Governor, though, Governor Orval Faubus named him to the Arkansas Industrial Development Commission, in 1955. The following year, Rockefeller created the Arkansas Opportunity Fund. He continued his economic development activities, including nine years on the Industrial Development Commission, up to and including his time as Governor, from 1967 to 1971. By the time he retired from the Governor's office, most



Governor Winthrop Rockefeller's official portrait at the Arkansas State Capitol.

Arkansans credited him with bringing more than 600 new businesses to the state, leading to the creation of more than 90,000 new jobs in Arkansas. Some consider him the father of the modern era, which saw industrial employment in Arkansas grow more than 47 percent, and manufacturing wages grow by more than 88 percent.

Winthrop Rockefeller did not simply foster economic development in the state. He lived and worked to make Arkansas a better place, by educating, employing and inspiring a generation. As he himself said: "For no man will automatically move up in the economic ladder simply because he has learned a skill; he must see a value that he did not see before..." If he were here today, we would know what to say: "Happy Birthday, Win; and thank you, for all that you have done for our wonderful State."

Information for this article was taken from the Encyclopedia of Arkansas (Tom W. Dillard, University of Arkansas Libraries), the Winthrop Rockefeller Institute website and UALR Magazine (Rockefeller, The Philanthropist, by John Ward).



Winthrop Rockefeller attends the Union Carbide dedication in Hot Springs, May 20, 1967.

(Photo: University of Arkansas at Little Rock Center for Arkansas History and Culture.)

Notary public seminars for fall

The 2012 fall session of Arkansas notary public seminars has been scheduled. Please watch for new seminars to become available on the Arkansas Secretary of State website: www.sos.arkansas.gov/bcs.

The free 90-minute seminars are geared toward both prospective and current notaries public in Arkansas. The Arkansas Secretary of State's office encourages notaries to attend to gain important information about the ever changing Arkansas notary public laws and regulations.

For your convenience, we offer three registration options: online at www.sos.arkansas.gov/bcs, by e-mail at danielle.fusco@sos.arkansas.gov, or by calling (501) 682-5286 or toll free at (888)233-0325.

Private training sessions for your company or organization are available.

Upcoming Notary Seminars

Aug. 29 – El Dorado
10 a.m. and 1:30 p.m.

Sept. 12 – Hope
10:30 a.m.

Sept. 13 – Little Rock
10 a.m. and 1 p.m.

Sept. 19 – Fort Smith
10 a.m. and 2 p.m.

Sept. 27 – Jonesboro
10 a.m. and 2 p.m.

Oct. 4 – West Memphis
10 a.m. and 1 p.m.

Oct. 11 – Rogers
2 p.m.

Oct. 12 – Fayetteville
10 a.m. and 2 p.m.

Oct. 23 – Pine Bluff
10 a.m. and 2 p.m.

Don't Be Revoked! Pay overdue taxes today

In case you missed it, the deadline to file annual reports and pay corporate franchise taxes for the year ending December 2011 was May 1, 2012. Every for-profit business entity, whether domestic or foreign, pays an annual fee to do business in Arkansas. Even if your company has ceased doing business in Arkansas, franchise taxes and penalties will continue to accrue until you formally dissolve the company with the Arkansas Secretary of State. You must formally dissolve before December 31, 2012, to avoid paying franchise taxes in 2013.

Dissolution Process:

1. Bring the entity into good standing with the Secretary of State.
 - a. All back franchise taxes must be paid.
2. Submit the final report form and pay final franchise tax.
3. File Articles of Dissolution with the Secretary of State.
 - a. Forms are available online: www.sos.arkansas.gov/bcs
 - b. Articles of Dissolution must be mailed in or filed in person with an original signature. Online dissolution is not possible.
 - c. Pay applicable dissolution fee (see chart at right):

Franchise Taxes can be paid online, by mail or in person. Articles of Dissolution are not available for online filing.

Dissolution Fees	
a. Application for certificate of withdrawal (Foreign)	\$300.00
b. Articles of dissolution (Domestic)	\$50.00
c. Articles of dissolution domestic (LLC)	\$50.00
d. Application for certificate of withdrawal by foreign limited liability company (Foreign)	No Fee

Go online for 24/7 access

We understand that business never sleeps. That's why we want to make the services we offer accessible and convenient for *you*. Here are just a few of the round-the-clock features you can find on our website at www.sos.arkansas.gov/bcs:

- ◆ Certificates of good standing
- ◆ Fees, forms & procedures
- ◆ Corporate searches
- ◆ Special request list builder
- ◆ Bulk data downloads
- ◆ Franchise tax filing
- ◆ Trademark search
- ◆ Change of address forms
- ◆ Notary public search
- ◆ UCC filings and searches
- ◆ File watch notification system
- ◆ Publications & information
- ◆ Change of registered agent information