

R154. Commerce, Corporations and Commercial Code.

R154-100. Utah Administrative Procedures Act Rules.

R154-100-1. Purpose of Rules.

The purpose of these rules is to designate those categories of adjudicative proceedings within the Division of Corporations and Commercial Code which will be conducted on an informal basis, in accordance with the Utah Administrative Procedures Act and the Rules of Procedure for Adjudicative Proceedings before the Department of Commerce.

R154-100-2. Designation of Informal Adjudicative Proceedings.

A. Any adjudicative proceedings as to the following matters shall be conducted on an informal basis:

1. The disapproval of any articles of incorporation, amendment, merger, consolidation, dissolution, or any other document required by Section 61-6-1 et seq. to be approved by the Division before filing.

2. The revocation of a certificate of authority of a foreign corporation to transact business in this state.

3. The disapproval of an application for an assumed name pursuant to Section 42-2-6.6(4).

4. The application for, and issuance of, registration of a trademark or service mark pursuant to Section 70-3-3.

5. The cancellation of registration of a trademark or service mark pursuant to Section 70-3-10.

B. All adjudicative proceedings as to any matters not specifically listed herein shall be conducted on an informal basis.

C. No hearing shall be held in any informal adjudicative proceeding which is initiated pursuant to these rules. However, any final order issued by the division is subject to agency review, consistent with the provisions of Section 63G-4-301 and the Rules of Procedure which govern Adjudicative Proceedings Before the Department of Commerce.

KEY: administrative procedure, government hearing

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