

THOUGHT LEADERSHIP

LEGAL UPDATES

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Delaware Overhauls DBA Process

***UPDATE:** On May 27, 2025, the State of Delaware announced that its new state-level process for trade name applications has been delayed from June 2, 2025, to February 2, 2026.*

On February 7, 2025, Delaware House Bill 40, which amends portions of the Delaware Code dealing with the registration of trade names (DBAs) in Delaware, was signed into law by Governor Matt Meyer. The new law will replace Delaware's current county-level registration process with a single, state-wide registration process that is to be administered by the Delaware Division of Revenue. The shift to a single online registration portal in Delaware will simplify the trade name registration process; however, the initial re-registration of existing county-level trade names under the new law introduces some uncertainty for those holding existing Delaware trade names.

Summary of key changes

Centralized, online registration: Trade name registrations will now be completed exclusively through the Delaware Division of Revenue's "Delaware One Stop" online system. The new process eliminates the need for separate filings and fees in each county, and notarization and paper forms will no longer be required.

Mandatory re-registration: All businesses with an existing county-level trade name in Delaware must re-apply under the new system beginning on February 2, 2026. Registration is expected to be processed on a "first come, first served" basis, and there is no guarantee that your current DBA will remain available as each trade name must be unique.

Application for registration: The filing fee for a trade name certificate will be \$25 and will be payable to the Delaware Division of Revenue. The \$25

registration fee will be waived for applicants that are reregistering trade names previously registered in the county system. In addition to paying the filing fee, the trade name application will be required to list the applicant's business name and trade name and certify its jurisdiction and date of formation or incorporation (or include a certificate of good standing if it is a Delaware entity). No renewal of a trade name is required so long as the entity maintains an active Delaware business license or special trade name license (see below), as applicable.

Special trade name license: Delaware corporations and limited liability companies not conducting business in Delaware that desire to obtain a Delaware trade name must first obtain a special trade name license (in lieu of a business license) from the Delaware Division of Revenue before registering the trade name. The one-year license will cost \$25 and will require renewal.

What this means to you

We encourage you to review your current trade name registrations, as well as any desired future trade name registrations, and to consider whether you will need to register or reregister any trade names as part of Delaware's new trade name registration process. We recommend that any applicant wishing to reregister any existing trade name or to obtain a new trade name prepare for registration promptly upon the new system going online on February 2, 2026.

Contact us

If you have any questions regarding the new Delaware trade name registration process, please contact Kirstin Salzman, Lucas Whited, or your Husch Blackwell attorney.

Husch Blackwell summer associate Philip Cole contributed to this legal update.