

Form I - Franchise Broker Registration Form

FRANCHISE BROKER REGISTRATION FORM

FEE:\$150.00

(To be enclosed by Applicant at
time application is filed)

1. Name of Franchise Broker: _____

2. Franchise Broker's principal business address and telephone number:

3. State whether the Franchise Broker:

- A. Has an administrative, criminal or material civil action pending against that person alleging a violation of franchise, antitrust or securities law, or alleging fraud, unfair or deceptive practices, or any comparable allegations?

Yes ____ No ____

If you answered "yes", please provide:

1. Names of the parties:
2. Forum, nature and current status of the pending action:
3. Case or proceeding identification number:

- B. Has ever been convicted of or pleaded nolo contendere to a felony charge; or been held liable or enjoined in a civil action by final judgment or been the subject of a material action involving an alleged violation of a franchise, antitrust or securities law, or allegations of fraud, fraudulent conversion or misappropriation of property, unfair or deceptive practices, or comparable allegations?

Yes ____ No ____

If you answered "yes", please provide:

1. Names of the parties:
2. The forum:
3. Case or proceeding identification number:

C. Is subject to a currently effective injunction or restrictive order or decree resulting from a pending or concluded action brought by a public agency and relating to the franchise, or to a Federal, State or Canadian franchise, securities, antitrust, trade regulation or trade practice law.

Yes _____ No _____

If you answered "yes", please provide:

1. Name of the person:
2. Public agency or court:
3. Case or proceeding identification number:

4. Franchise Broker designates the New York Secretary of State as agent to receive process in its Consent to Service of Process, a copy of which is enclosed.

Franchise Broker: _____

By: _____

Name: _____

Title: _____

STATE OF _____)

)

COUNTY OF _____)

Personally appeared before me this ___ day of _____, 20___, the above-named _____, to me known to be the person who executed the foregoing application (as _____ of the above name applicant) and, after being administered an oath and duly sworn, swore upon oath that said application, and all exhibits submitted herewith, are true and correct.

Notary Public _____

My Commission Expires: _____

Instructions for Preparing Form I - Franchise Broker Registration Form

1. Insert the name of the Franchise Broker and any name under which the Franchise Broker is doing or intends to do business.
2. Insert the Franchise Broker's principal address and telephone number.
3. Answer "Yes" or "No" to each question (A, B and C). If the answer is "Yes" to any question, provide the requested additional information. For purposes of 3(B), "hold liable" means that, as a result of claims or counterclaims, the person must pay money or other consideration, must reduce an indebtedness by the amount of an award cannot enforce its rights, or must take action adverse to its interest. Accordingly, dismissals concluding an adversary proceeding need not be disclosed, but a settlement resolving an adversary proceeding must be disclosed if the person is held liable as defined above.
4. Include a copy of the Consent to Service of Process, designating New York's Secretary of State as agent to receive process.
5. Complete and sign the jurat
6. If a Franchise Broker is no longer soliciting or offering or selling franchises on behalf of the Franchisor, promptly notify the Department of Law by letter of the termination of that relationship.
7. The check for the filing fee of \$150.00 should be made payable to the "New York State Department of Law."
8. Mail the completed application and filing fee to:
New York State Department of Law
Investor Protection Bureau
28 Liberty Street
New York, NY 10005

- This form is to be used by a corporate applicant if the applicant is a foreign corporation.
- Nonresident individuals and partnerships must use the form on the other side of this sheet.
- This form must be signed by either the president, vice president, secretary or treasurer of the foreign corporation.

STATE OF NEW YORK
DEPARTMENT OF STATE
Division of Licensing Services

Uniform Irrevocable Consent and Designation
Foreign Corporation

This irrevocable consent and designation is made by _____,
(Name of Corporation)

a corporation incorporated under the laws of the State of _____ on the _____ day of
_____ 20 _____, with its principal office at _____.

_____ hereby irrevocably submits to the
(Name of Corporation)

jurisdiction of the courts of the State of New York and, further, hereby irrevocably designates the Secretary of State of the State of New York as its agent upon whom may be served any summons, subpoena or other process naming the corporation in any action or special proceeding commenced in the State of New York.

By this consent and designation, the corporation agrees that service of process upon the Secretary of State shall be, in all respects, as valid and binding as if personal service had been made upon the corporation within the State of New York.

IN WITNESS HEREOF, this consent and designation is signed by an authorized officer this _____ day of
_____ 20 _____.

(Name of Corporation)

By: _____
(Signature)

Name: _____

Title: _____

State of _____

County of _____

On this _____ day of _____ 20 ____ before me personally came _____
_____ to me known, and who, being duly sworn,
did depose and say that (he)(she) resides in _____ and that (he)(she) is the
(State)
_____ of the corporation described in and which executed the above instrument,
(Title)

and that, by order of the board of directors of the corporation, (he)(she) has executed the above document for and on behalf of the corporation by signing (his)(her) name thereto.

- This form is to be used by nonresident individuals and nonresident partnerships.
- Foreign corporations must use the form on the other side of this sheet.
- This form must be signed by all the partners of the foreign partnership.

STATE OF NEW YORK
DEPARTMENT OF STATE
Division of Licensing Services

Uniform Irrevocable Consent and Designation
Individual and Partnership

(I)(we) _____ ,
(Name of Individual or Partners)

doing business under the name _____ ,
hereby irrevocably submit(s) to the jurisdiction of the courts of the State of New York, and, further, hereby irrevocably designate(s) the Secretary of State of the State of New York as (my)(our) agent upon whom may be served any summons, subpoena or other process naming (me)(the partnership or any partner) in any action or special proceeding commenced in the State of New York.

By this consent and designation, (I)(we) agree that service of process upon the Secretary of State shall be, in all respects, as valid and binding as if personal service had been made upon (me)(the partnership and each of the partners) within the State of New York.

IN WITNESS HEREOF, this consent and designation is signed by (me) (us) this _____
day of _____ 20 _____ .

Signed: _____

Address: _____

Signed: _____

Address: _____

Signed: _____

Address: _____

State of _____

County of _____

On this _____ day of _____, 20 _____ before me personally came _____
_____ to me known and known to me to be the person(s) who (is) (are) named in
and who executed the foregoing instrument, and (he)(she)(they) duly acknowledged that (he)(she)(they) executed the same.