

**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 Uniform Consent and Designation for service of process, designating New York's Secretary of State as agent to receive process. Review the last two pages of the document and choose the appropriate form.
5. A notary public must 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.

- 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.

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STATE OF NEW YORK  
DEPARTMENT OF STATE  
Division of Licensing Services

Uniform Irrevocable Consent and Designation  
Foreign Corporation

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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 jurisdiction of the courts of  
*(Name of Corporation)*

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 \_\_\_\_\_ (State) and that (he)(she) is the \_\_\_\_\_ (Title) of the corporation described in and which executed the above instrument, 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.

\_\_\_\_\_  
*Notary Public*

- 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.

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STATE OF NEW YORK  
DEPARTMENT OF STATE  
Division of Licensing Services

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Uniform Irrevocable Consent and Designation  
Individual and Partnership

(I)(we) \_\_\_\_\_  
*(Name of Individual or Partners)*

doing business under the name \_\_\_\_\_  
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.