

FRONT PAGE NEWS

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Mini-Series: Name availability concerns - Bank etc...

The term "Bank" is a restricted word in Pennsylvania. Prior approval by the Department of Banking is required of any new company name that contains the word "Bank" or "Banking" etc. (See Section 1303(c)(1)(ii)(a)). The Corporation Bureau takes the position that "Banc" is also subject to prior approval. The Department of Banking applies the standard found at Title 7, Section 805(a) to determine if the name is acceptable. Such company name can not be "deceptively similar to the name of an institution subject to this act." (i.e. the Banking code). The term "deceptively similar" does not appear to be defined in the code. While it is possible to get Banking to reverse a denial, it is better to give them sufficient facts up front to show them that the proposed company will not be engaging in any banking activities.

Note: Trust is also a protected word as is Credit-Union. See our link below...
Check out our FAQ on Name Issues: Just [CLICK HERE](#)

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WORDLORE: Charles Dickens & "Harrisburg"

...We emerged upon the streets of Harrisburg, whose feeble lights, reflected
dismally from the wet ground, did not shine out upon a very cheerful city.
-- American Notes
Charles Dickens

Commentary: While Harrisburg is not generally considered to be "cheerful" one
must wonder what Charles Dickens did find cheerful. Perhaps old London where
Oliver and Fagan prowled and skulked to avoid Bill Sikes?

The above quote was found at: E-podunk at the following link [http://
www.epodunk.com/cgi-bin/genInfo.php?locIndex=14100](http://www.epodunk.com/cgi-bin/genInfo.php?locIndex=14100)

Also, see our new MAP section in PA LINKS and our new map of PA's 67
Counties: [Click Here](#)

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PA Link: Philadelphia Lawyer

First attributed to the press when writing a story about a "smart Philadelphia
lawyer." For more information on this see the Philadelphia Bar Assn's web site -
just: [CLICK HERE](#).

Is the Philadelphia Lawyer dead? See "Philadelphia" magazine, April 2008
edition: Just [CLICK HERE](#)

FRONT PAGE NEWS

Latest News: WEDNESDAY APR 2, 2008

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Mini-Series: Name availability concerns - Dentist / Dental etc.

Is it necessary to obtain approval from the Dental Board to use the word "Dental" or "Dentist"?

In 1998 we were told by one of the most experienced members of the Review section at the Corporation Bureau that approval was no longer needed where the name of the dentist is included in the name of the professional corporation or LLC.

Note: There may be a separate requirement by the Board to file a fictitious name registration with the Board where the dentist's name is not part of the company name. This "fictitious name" is not the same fictitious name registration used at the Corporation Bureau but rather a Dental Board form.

To download the Board's Fictitious Name Form: Just [**CLICK HERE**](#)

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WORDLORE: Davy Jones - Remember Him?

Quote about PA: "I own property in a quiet little town of Pennsylvania."
Davy Jones.

Commentary: Does anyone remember Davy? What group was he the lead singer for? Someone at the Corporation Bureau knows, do you?

The above quote was found at: <http://www.brainyquote.com/quotes/keywords/pennsylvania.html>

Also, see our new MAP section in PA LINKS and our new map of PA's 67 Counties: [Click Here](#)

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PA Link: Global Headquarters Relocating to Pittsburgh

"PITTSBURGH – Department of Community and Economic Development Secretary Dennis Yablonsky cut the ribbon today for a fabricated-metal-components company's new global headquarters in Pittsburgh.

Aided by state investments coordinated by the Governor's Action Team, RTI International Metals Inc. is relocating its executive offices from Ohio and will create at least 35 high-paying, new jobs in Pennsylvania within the next three years. "

If you firm has a client that is looking to relocate or expand in PA you may want to read the entire article and find out more about the Governor's Action Team -just: [CLICK HERE](#).

FRONT PAGE NEWS

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Mini-Series: Name availability concerns -Insurance and similar words...

The following words require pre-authorization from the Department of Insurance: Annuity, Assurance, Beneficial, Bond, Casualty, Endowment, Fidelity, Fraternal, Guaranty, Indemnity, Insurance, Insurer, Reassurance, Reinsurance, Surety, Title.

Bureau Note: You can use the word Insurance under certain circumstances, i.e. if one of the following words is also in the name agency, services, brokerage, associates or if it is clear from the activity stated on the docketing statement that the company is an agency but it is always best to call us and have us check with the state since the rules surrounding the use of these words are complex and often in flux. LLC's can use the word insurance in the name but the docketing statement must state "sale" of insurance. Title can not be used at all unless by a Title Insurance company.

We can apply for the name approval on your behalf. Just send us a statement detailing the activity that the company will engage in and your authority to proceed on your or your clients behalf.

See Reg.17.10:

Check out the PA Code of Regulations on the above issue: Just [CLICK HERE](#)

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WORDLORE: Endless Mountains

Endless Mountains... If you've ever visited the Endless Mountains region, you know that the name needs no definition.

Check out the Endless Mountains Route 6 site: **[Click Here](#)**

Where are the Endless Mountains? **[Click Here](#)**

Also, see our new MAP section in PA LINKS and our new map of PA's 67 Counties: **[Click Here](#)**

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PA Link: Looking for a PA newspaper on-line (other states also accessible)...

Looking for a particular PA newspaper on-line or just want an easy way to jump around to different newspapers in the state, then just: **[CLICK HERE](#)**.

You can also access papers from other states as well. With regard to PA newspapers, there are some that we know of which are not included on the above site. For instances... for one of the best local weekly newspaper check out **www.perrycountytimes.com**. Perry county is just north of Harrisburg.

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Mini-Series: Name availability concerns -Engineer, Surveyor

Engineer or Engineering or Surveyor or Surveying = Approval from the Engineering Board required. This can be obtained by submitting an application to the board. The following link should take you to the form needed: .

We can deliver the required form and fee once you have it completed. It may not speed things up any, but at least you know it has been delivered to the correct people and you will have a date stamped copy for your file. Some board approvals can take over a month, other boards are much quicker.

To view the form just: [CLICK HERE](#)

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WORDLORE: Lancaster

How to pronounce Lancaster: The following is taken from "Talking Pennsylvanian" and email recently received.

"And we know Lancaster is pronounced Lank aster, not Lan kaster."

Here is another one: "You refer to Pennsylvania as 'PA' (pronounced Pee-ay). How many other states do that?"

Also, see our new MAP section in PA LINKS and our new map of PA's 67 Counties: [Click Here](#)

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PA Link: Mt. Carmel, PA

Most all of us who were born and raised in Harrisburg can surely count among our friends and acquaintances several people from the town of Mr. Carmel. In fact, there are probably more people from Mt. Carmel in Harrisburg than there are in Mt. Carmel. Having visited there a number of times, I have to question why they moved to Harrisburg. To learn more about the very charming community just: [CLICK HERE](#).

Did you know that Thomas Edison use Mt. Carmel as one of his first towns to "electrify?" That's what is says at the above linked site.

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- [WORDLORE: RACHEL CARSON STATE OFFICE BUILDING \(DEP BUILDING, WHERE FALCONS NEST\)](#)
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Mini-Series: Name availability concerns -FUNERAL

If you use the word "Funeral" in the company name, you will need to obtain a letter from the Funeral Board (Bureau of Professional and Occupational Affairs) granting permission to the company to use the word in their name.

To read out FAQ on this subject just [CLICK HERE](#)

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WORDLORE: Rachel Carson State Office Building (DEP Building, where Falcons nest)

Who was Rachel Carson and why is the DEP building named after her?

TAKEN FROM THE DEP WEBSITE: "Rachel Carson was born on May 27, 1907, in Springdale, Pennsylvania, a small town fifteen miles north of Pittsburgh. As a

young girl, she enjoyed both nature and writing, experiencing the Pennsylvania landscape at a time when peregrine falcons were not endangered. The peregrine falcon began experiencing alarming declines in their numbers nationwide when Carson was an adult." THE READ THE REST OF THE STORY [Click Here](#)

Also, see our new MAP section in PA LINKS and our new map of PA's 67 Counties: [Click Here](#)

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PA Link: Keep an Eye On the Peregrine Falcons at the DEP Building in downtown Harrisburg

Every year the Peregrine Falcons return to the DEP (Department of Environmental Protection) Building in downtown Harrisburg. DEP has a live web camera trained on their nest. Mark this as one of your favorites and stop in to see them every day until they fly away in mid-summer. This is truly an amazing experience. To visit the page just: [CLICK HERE](#).

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Mini-Series: Name availability concerns -ARCHITECT

Architect or Architecture can not be used in name unless one of the incorporators, organizers, directors is a licensed architect and a certification from the Board is submitted to the Dept. of State. See also: Reg: 17.9 and 54 Pa.C.S. 311(f)(5)

To read out FAQ on this subject just [CLICK HERE](#)

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WORDLORE: Pittsburghese

Here is a sample of Pittsburghese: "... in Pittsburgh, the plural of "you" is "yoonz." (No one really knows how to spell that—I've seen "yunz" and "yinz," for example—but in any case, the vowel sound is more or less a schwa.)

Supposedly, yoonz is a contraction of "you ones," though I suspect most locals would be unable to articulate that etymology. The possessive form of yoonz, by the way, is "yoonz's": "Dats nunna yoonz's bidness."?"

TAKEN FROM THE INTERESTING THINGS OF THE DAY WEB SITE... to read more just [Click Here](#)

Also, see our new MAP section in PA LINKS and our new map of PA's 67 Counties: [Click Here](#)

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PA LINK OF THE DAY: Underground coal fires...

Have you heard of the coal fire that burns under the town of Centralia which has cause the State to buy out and remove people from their homes? To read about these fires just: [CLICK HERE](#).

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TURN AROUND TIMES

[Click Here For Details on Current Turn Around Times](#) for most of our common orders (including lien certificates).

Quick Look:

Lien Certificates - about 8-14 days.

Good Standings - about 1-3 days.

Certified Copies - about 1-3 days.

Corporate Filings - about 4-6 days.

UCC Filings - about 1-3 days.

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Mini-Series: Name availability concerns - College, University & Seminary

College, University or Seminary used to imply that the entity is an educational institution is prohibited unless approved by the Dept. of Education. The word " school " is not a restricted word and is routinely allowed by the Corporation Bureau. Remember, we can apply to the Department for your approval letter. Call us for details.

To read out FAQ on this subject just [CLICK HERE](#)

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WORDLORE: Pittsburghese, Day 2 - Worsh/Wash

Worsh: " It All Came Out in the Wash It was about that time when I was learning to read and encountered the strange word "wash" for the first time. I had no idea what it meant. I had to ask my teacher if it meant something like "worsh." The teacher took great pains to explain that "wash" was indeed the correct spelling,

but sometimes in English, words are not pronounced the way they're spelled. That's true enough, but I checked in a dictionary to make sure. There, right before my eyes, was the correct pronunciation of "wash" without an "r" sound in sight, and no entry at all for "worsh." It was a profound and defining moment for me. I was devastated to realize that my family, friends, and teachers were not speaking English the way other people did, and I determined that I would not let this happen to me."

TAKEN FROM THE INTERESTING THINGS OF THE DAY WEB SITE... to read more just [Click Here](#) Pittsburgh is in Allegheny County.

Also, see our new MAP section in PA LINKS and our new map of PA's 67 Counties: [Click Here](#)

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PA LINK OF THE DAY: Old PA Photographs

Here is an extremely interesting site. Visit, and you will be able to view old family photographs from many of PA's 67 counties. The site continues to grow and you can even add your own old family photos. To view the photos just: [**CLICK HERE**](#).

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- [PA LINK OF THE DAY: PA MUSIC AND ARTS WEBSITE](#)
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Mini-Series: Name availability concerns - YMCA, YWCA

YMCA or Young Men's Christian Association - see Reg 17.12 A corporate name may not contain the above unless its purpose is the improvement of the spiritual, mental, social and physical condition of young people, by support etc.....

To read the entire reg on this subject just [CLICK HERE](#) to be directed to the PA Code Online.

Note... that nothing is mentioned about YWCA. Query: Does the silence of the regs with regard to the YWCA mean that the same rule applies or specifically does NOT apply?

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WORDLORE: AMBER

At one time this word was mostly a color that came between the Red and the Green light in traffic signals. Now it means Amber Alerts and here is PA's Amber Alert web site: [Click Here](#)

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties:
[Click Here](#)

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PA LINK OF THE DAY: PA Music and Arts Website

Do you like the Arts and PA Music Scene...well here is one site that can help you find good stuff in the state, just: [CLICK HERE](#).

MONDAY 4-14-2008 MISSED

THE FOLLOWING WAS POSTED MONDAY FOR TUESDAY

FRONT PAGE NEWS

URGENT

New Fillable Order Form Ready...

Another easy way to order... our newly redesigned PDF order form... completely fillable: [Click Here](#)

If you have Adobe Acrobat Professional, you can complete and email the form to us. If you use Adobe Acrobat Reader you can print the form and fax it to us.

Latest News: MONDAY APR 14, 2008

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Mini-Series #2: Common Filing Problems - Registered Office Paragraph

Many forms submitted to us for filing have both the (a) and (b) registered office questions completed (usually either paragraph 2 on domestic forms or 6 on foreign forms). Only one section of the registered office paragraph should be completed and the other should be left blank. Many form preparers want to at least put a name in the (b) section. The (b) section is only for Commercial Registered Office Providers like our sister company AAAgent Services, LLC. Resist the urge to put that name in the (b) section.

Check out the Articles of Incorporation and look at paragraph 2, and refer to the above. Just [**CLICK HERE**](#)

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WORDLORE: FREEDOM

"There can be no friendship where there is no freedom. Friendship loves a free air, and will not be fenced up in straight and narrow enclosures. " WILLIAM PENN

WILLIAM PENN ON THE WEB: [**Click Here**](#)

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties: [**Click Here**](#)

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PA LINK OF THE DAY: ERIE GETS FUNDS FOR REVITALIZATION

"ERIE – Governor Edward G. Rendell has directed more than \$1.8 million to the City of Erie for a midtown project that includes developing the vacant and blighted Mercantile Building into a modern, mixed-use facility. The project also calls for the cleanup and renovation of Griswold Park, the Department of Community and Economic Development announced today in Erie."

Read the full articles, just: [**CLICK HERE**](#)

Query: Is this a gift of Gov. Rendell or of the taxpayers pursuant to laws and regulations?

FRONT PAGE NEWS

URGENT

Easy Ways To Order...

1) Our Online order (enter to the left of this column) - Easy login, first time just use your lastname and first initial and use "esquire" as your password.

2) Another easy way to order... our newly redesigned PDF order form... completely fillable: [Click Here](#) If you have Adobe Acrobat Professional, you can complete and email the form to us. If you use Adobe Acrobat Reader you can print the form and fax it to us.

3) Just send us an email, give us a phone call, or fax us a memo.... any way you want to order if fine with us.

Latest News: TUESDAY APR 15, 2008

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 - [WORDLORE: EMBITTER \(WED. POLITICAL HUMOR\)](#)
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 - [PA LINK OF THE DAY: KANE, PA \(ONE OF PA'S MOST BEAUTIFUL TOWNS\)](#)
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Mini-Series #2: Common Filing Problems - Addresses other than the Registered Address

Moving past the registered office paragraph (out Tuesday tip), there are other questions that require you to type in an address and if you forget, will cause a filing to be rejected. For instance, for the Corporations and LLC's you must supply and address of the Incorporator and Organizer respectively. Don't forget that address. If you are creating your own form and not using the state form, don't forget the Incorporator or Organizer paragraph with name AND address.

Check out the Articles of Incorporation and look at paragraph 7, and refer to the above. Just [**CLICK HERE**](#)

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WORDLORE: Embitter (Wed. Political Humor)

"Embitter (im-bi -ter) n. and adj. When a male feels resentful, angry, vengeful, and soured. "His divorce just left embitter." Jeff Foxworthy, Redneck Dictionary II (Random House - 2006)

Isn't there a tempest in a teapot brewing currently over the word "bitter." I guess em's bitter about that tempest.

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties: [**Click Here**](#)

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PA LINK OF THE DAY: Kane, PA (One of PA's most beautiful towns)

"On a day trip a couple of years ago, I wound up in Kane, (McKean County) PA. The town was breathtaking. It is the kind of place you see in love story movies

about Jane and John meeting at high school and living happily ever after. Lets just hope that Hollywood doesn't find out about it through the PA Movie office. "

Here is one site about Kane... their main site is under reconstruction, so just: [**CLICK HERE**](#)

Review Wikipedia info about Kane: [**CLICK HERE**](#)

Kane's newspaper: [**CLICK HERE**](#)

FRONT PAGE NEWS

URGENT

FORM PREPARATION...

Many of our clients ask us to prepare their forms for them... particularly Corporation, LLC's and LP's. You now have an easy way to ask us to do the same for you. Just log in and supply the name of the company that you want, check the appropriate box for which form you want us to prepare and fill in the next page, click send and we'll send you back via email the proposed forms for you to review. I'll even sign as Incorporator or Organizer or Authorized Person for LP's. We can also order your kit, place your publications (for corporation's only) and put everything on one invoice.

Latest News: WEDNESDAY APR 16, 2008

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Mini-Series #2: Common Filing Problems - Signature Problems

There are a number of ways incorrectly signed documents can cause rejections. The Bureau will tell you it is not within their power to reject a filing because it is signed incorrectly. But, we have often seen rejection for just such a problem, and in my opinion, rightly so. The big problem is when incorrectly signed documents are not file.

One signature problem occurs when a person other than the person listed as the incorporator or organizer signs the document. For instance, if John Jones signs without identification as an officer signs, but a corporation, say ABC Corp. is listed as the Incorporator then the signer is John Jones and not ABC Corp. If, however, John Jones signs as President of ABC Corp. then ABC Corp. is signing the document and no rejection should occur in that situation.

Check out our FAQ on document signing...just [CLICK HERE](#)

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WORDLORE: Freedom

"In a word, freedom is ever new. It is a challenge held out to each generation, and it must constantly be won over for the cause of good." Pope Benedict XVI speaking at the White House on Wednesday, 4-16-2008.

I could find no connection between Pennsylvania and Pope Benedict other than in the abstract sense that Freedom applies to PA as much as to the US but I just thought the words were worth pondering for us all. I do think that the Pope will have to drive through PA to go from DC to NYC so that is sufficient nexus for the appearance of his words on our site today:-)

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties:
[Click Here](#)

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PA LINK OF THE DAY: Strasburg, PA (Why wouldn't you want to live here)

Strasburg (outside Lancaster) has it all. It even has a motel made up of old Caboose cars.

Check out Strasburg online... just: [CLICK HERE](#)

Check out the Red Caboose Motel - [CLICK HERE](#)

FRONT PAGE NEWS

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NEW BUREAU REJECTION POLICY RE: FICTITIOUS NAME REGISTRATIONS

We just found out today that the Corporation Bureau has adopted a new policy regarding fictitious names being registered by a company. For instance, Blue Dog, Inc. is filing an FN registration to trade as "A Dog Name Blue." The Bureau will now be rejecting any FN registration that does not state in paragraph 5 the business entity type AND the business entity's state of origination.

Take a look at the FN registration form to lock this into the old gray matter... just [CLICK HERE](#)

Take a look at our FAQ regarding FN's... just [CLICK HERE](#)

Latest News: THURSDAY APR 17, 2008

- [MINI-SERIES #2: COMMON FILING PROBLEMS - BUSINESS ACTIVITY STATEMENT ON DOCKETING STATEMENT](#)
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 - [WORDLORE: DINERS \(AS IN A PLACE TO EAT AND NOT DINNER WHICH IS WHAT YOU EAT:\)](#)
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Mini-Series #2: Common Filing Problems - Business Activity Statement on Docketing Statement

Never use just the general purpose language in the Business Activity question on the Docketing Statement. Since the Docketing Statement is NOT part of the Articles or Certificate, putting the general purpose language on the Docketing Statement is not necessary or desired. If the company will sell Shoe laces, just state something like "The company will engage in the manufacture, distribution and sale of shoe laces." There is no need to add: "And any and all lawful business for which corporations may be incorporate under the Business Corporation Law." That language was useful when preparing Articles of Incorporation prior to the 1988 BCL but since then has not really been needed since corporations are now presumed to have a general purpose (See Title 17, section 1301 for corporations or section 8911 for LLC's)

Check out our FAQ on completing the new entity docketing statements...just [**CLICK HERE**](#)

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WORDLORE: Diners (as in a place to eat and not Dinner which is what you eat:)

Believe it or not, we have in our Pennsylvania Library a book on Diners of Pennsylvania by Brian Butko and Kevin Patrick published by Stackpole Books. In one of the introductory sections, PA is referred to as Dinerland. For sure, if you love road tripping in PA you probably also love visiting dinerland along the way. One old classic diner featured in the book was moved into downtown Harrisburg (The Tom Sawyer Diner) several years ago and placed smack dab in the middle of Restaurant Row. It will soon be moved out of the downtown section to make way for an 18 story office tower. Check out the book at Stackpole Books, just [**Click Here**](#)

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties: [**Click Here**](#)

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PA LINK OF THE DAY: 1706 Rittenhouse Square - speaking of places to live...

Check out Philadelphia's "World-Class Residences" online... just: [CLICK HERE](#)

Quite a change from yesterdays Red Caboose Motel - [CLICK HERE](#)

The Monday edition of FPN was changed at work during the day because of new information learned regarding the following.

FRONT PAGE NEWS

URGENT

**URGENT...URGENT...URGENT:
CHANGE #1 - CONSENT TO USE OF SIMILAR NAME
PROCEDURE ENDED
CHANGE #2... FICTITIOUS NAME REGISTRATIONS: NEW
REJECTION POLICY**

TWO IMPORTANT CHANGES:

1) Consent to USE of Similar Name has been terminated by the Corporation Bureau. Effectively immediately the Bureau will only accept CONSENT TO APPROPRIATION OF NAME for filings. As far as we know at this point, that means you will NOT be able to use ABC, LLC and ABC, LP is the classic GP/LP combination filings. There are a ton of other problems also that this may cause. Stay tuned for more information.

Take a look at the Consent form: [CLICK HERE](#)

2) The Bureau will now be rejected fictitious name forms in which paragraph 5 is not completely filled in. In particular they will be zoning in on the Type and Jurisdiction of Organization part of paragraph 5. This has caused a number of rejections but you should still be able to retain your original filing date as long as you do NOT change the signature date.

Take a look at the FN registration form to lock this into the old gray matter... just [CLICK HERE](#)

Take a look at our FAQ regarding FN's... just

FRONT PAGE NEWS

URGENT

NOTICE...FICTITIOUS NAME REGISTRATIONS: NEW POLICY

We just found out today that the Corporation Bureau has adopted a new policy regarding fictitious names being registered by a company. For instance, Blue Dog, Inc. is filing an FN registration to trade as "A Dog Name Blue." The Bureau will now be rejecting any FN registration that does not state in paragraph 5 the business entity type AND the business entity's state of origination.

Take a look at the FN registration form to lock this into the old gray matter... just [CLICK HERE](#)

Take a look at our FAQ regarding FN's... just [CLICK HERE](#)

Latest News: SUNDAY APR 20, 2008

- [MINI-SERIES #2: COMMON FILING PROBLEMS - MISSING NAME IN BLOCK 2 OF THE DOCKETING STATEMENT](#)

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[**WORDLORE: HOT TOPICS...**](#)

[**PA LINK OF THE DAY: LIVE & LEARN WEEKEND - FREEDOM**](#)

[**TURN AROUND TIMES**](#)

Mini-Series #2: Common Filing Problems - Missing Name in Block 2 of the Docketing Statement

Block 2 of the Docketing Statement asks for the "NAME" and address of the person who will be responsible for filing the initial tax return for the company. If you forget to put someone's name in that block, the filing WILL be rejected. If you put a company name there the filing will be rejected. A human, or "natural" person's name is required. Also, the address does NOT need to be a Pennsylvania address.

Check out our FAQ on completing the new entity docketing statements...just [**CLICK HERE**](#)

[**<< RETURN TO HEADLINES >>**](#)

WORDLORE: HOT TOPICS...

Check out the State Attorney General web site's HOT TOPICS for Pennsylvania. Here are a lot of words that just might come in handy for you or someone you know...just [**Click Here**](#)

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties:
[Click Here](#)

[**<< RETURN TO HEADLINES >>**](#)

PA LINK OF THE DAY: Live & Learn Weekend - Freedom

Philadelphia, Erie, Pittsburgh, Lancaster... Live & Learn Weekend Trips: The Quest for Freedom in a Roadtrip. To read more... [**CLICK HERE**](#)

FRONT PAGE NEWS

URGENT

URGENT...URGENT...URGENT:

**CHANGE #1 - CONSENT TO USE OF SIMILAR NAME
PROCEDURE ENDED**

**CHANGE #2... FICTITIOUS NAME REGISTRATIONS: NEW
REJECTION POLICY**

NOTE: We believe that there is a meeting on Wednesday to determine the particulars regarding the change of policy by the Bureau concerning the abolition of the Consent to Use of Similar Name procedure as discussed below. We will keep you advised as we learn more.

Monday we reported the following: TWO IMPORTANT CHANGES:

1) Consent to USE of Similar Name has been terminated by the Corporation Bureau. Effectively immediately the Bureau will only accept CONSENT TO APPROPRIATION OF NAME for filings. As far as we know at this point, that means you will NOT be able to use ABC, LLC and ABC, LP is the classic GP/LP combination filings. There are a ton of other problems also that this may cause. Stay tuned for more information.

Take a look at the current Consent form: [CLICK HERE](#)

2) The Bureau will now be rejected fictitious name forms in which paragraph 5 is not completely filled in. In particular they will be zoning in on the Type and Jurisdiction of Organization part of paragraph 5. This has caused a number of rejections but you should still be able to retain your original filing date as long as you do NOT change the signature date.

Take a look at the FN registration form to lock this into the old gray matter... just [CLICK HERE](#)

Take a look at our FAQ regarding FN's... just [CLICK HERE](#)

Latest News: MONDAY APR 21, 2008

- [MINI-SERIES #2: COMMON FILING PROBLEMS - HOMEMADE FORMS](#)
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- [WORDLORE: ..."TOTAL BODY FORMULA" / WORDS OF RECALL IN PA](#)
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- [PA LINK OF THE DAY: KEY INDUSTRIES IN PA](#)
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- [TURN AROUND TIMES](#)
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Mini-Series #2: Common Filing Problems - Homemade Forms

There are a lot of adventuresome law firms out there that like to present their own pre-typed forms to clients rather than a pre-printed form produced by the Corporation Bureau or M. Burr Keim Company. While there isn't a problem with that, you must be aware that if you leave out one of the key paragraphs of the State's form, the Bureau is very liable to reject your filing. The best alternative is a hybrid. Use the state form and attach your own work product as EXHIBIT "A". In that way, you cover all the bases.

Check out the Articles of Amendment form in our form archive. This is probably where the most problems of the above nature occur...just [**CLICK HERE.**](#)

[**<< RETURN TO HEADLINES >>**](#)

WORDLORE: ..."Total Body Formula" / WORDS OF RECALL IN PA
TOTAL BODY FORMULA

If you see the above product in your dietary supplement cabinet, check out the RECALL by the PA Dept. of Health... [Click Here](#)

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties: [Click Here](#)

[<< RETURN TO HEADLINES >>](#)

PA LINK OF THE DAY: Key Industries in PA

While the focus of the nation has been directed on Pennsylvania the last 7 weeks, we've been told time and again how depressed the economy of the state is, how backward we are and how all our factories are silent. In fact, nothing could be further from the truth but now the nation just thinks "poor OLD Pennsylvania". And all the while there is our Governor acting like a lap dog for Hillary not challenging any of either candidate's statements about the state of our state. Take a look at the following site and tell me if this is the image painted by the "candidates" or the national media: [CLICK HERE](#)

And while you are at it, download the following brochure from our Forms section under Small & Minority Business: [CLICK HERE](#)

This sure doesn't sound like the trash I've been hearing over the national media.

FRONT PAGE NEWS

URGENT

URGENT...URGENT...URGENT:

CONSENT TO USE OF SIMILAR NAME PROCEDURE ENDED BY THE CORPORATION BUREAU

MAJOR/IMPORTANT CHANGE:

1) The Consent to USE of Similar Name procedure has been terminated by the Corporation Bureau. Effectively immediately the Bureau will only accept CONSENT TO APPROPRIATION OF NAME for filings. As far as we know at this point, that means you will NOT be able to use ABC, LLC and ABC, LP is the classic GP/LP combination filings. There are many other problems that this may cause. For instance, it may affect the purchase of a company name from the seller and allow the buyer to trade under the name purchased unless the selling company agrees to change its name. It will most definitely mean that you will not be able to buy a consent from an unrelated company that has the name your client would like to use.

Stay tuned for more information.

Take a look at the current Consent form which will probably be changed in the near future: [CLICK HERE](#)

Latest News: TUESDAY APR 22, 2008

- [VIRTUAL TOUR OF THE PA CORPORATION BUREAU](#)
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- [WORDLORE: ...CHICKWEED \(REQUEST FROM ONE OF OUR CLIENT\)](#)

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- [PA LINK OF THE DAY: HERE IS A BUDDING PA BUSINESS: W. ATLEE BURPEE COMPANY](#)
-
- [TURN AROUND TIMES](#)
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Virtual Tour of the PA Corporation Bureau

The PA Corporation Bureau is made up of essentially three parts, 1) Company document filings section; 2) The document processing section and 3) The Uniform Commercial Code Division that process filings and searches.

Tomorrow, a closer look at the document filing section.

By the way, check out our new PDF order form which can be completed on screen and emailed or printed and faxed. Also, check out our new ONLINE ORDERING which essentially mirrors the layout of the Corporation Bureau... Filings, Documents and Searches.
JUST [CLICK HERE.](#)

[<< RETURN TO HEADLINES >>](#)

WORDLORE: ...CHICKWEED (REQUEST FROM ONE OF OUR CLIENT)

We have just heard that a land transaction can be placed on hold because of a rare variety of wild plant, and must wait until an assessment has been run to determine if this species in question is an endangered species. If anyone has see this type of roadblock and has information that they would be willing to share, please email to me at tony@esquireassist.com .

Review Cornell U's Common Chickweed fact sheet... [Click Here](#)

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties:
[Click Here](#)

[<< RETURN TO HEADLINES >>](#)

PA LINK OF THE DAY: Here is a budding PA business: W. ATLEE BURPEE COMPANY

Check out the Burpee web site, just [CLICK HERE](#)

or Check out the company history page by [CLICKING HERE](#)

Special Name Consent Edition :

FRONT PAGE NEWS

URGENT

URGENT NEWS UPDATE RE: CONSENTS

LATEST NEWS 4-23-08

We were just informed, late Wednesday (after COB) of the decisions made at the meeting regarding the Corporation Bureau's decision to terminate the use of Similar Name Consents. The Bureau has decided to implement this change immediately. There will be no buffer period as requested by us. As for the practical effects of this decision, they are best explained by the following examples:

1) The following is the difference between "Appropriation" and "Similar Name" consents:

ABC, Corp. gives a consent to ABC, Corp. = This is an appropriation and would be allowed. Names are exact.

ABC, Corp. gives a consent to ABC, Inc. = This is a similar name situation because the names are not exact.

2) The following example will no longer work:

ABC, LLC is formed to be a general partner of a limited partnership being formed at the same time by the name ABC, LP. Under prior procedures the consent to use of similar name was presumed when the filings were made simultaneously since the company giving the consent (ABC, LLC) would have been on the LP filing as the general partner. This will no longer work because there is no longer a consent to use of similar name. It will be necessary to name the LP or the LLC something unique. The obvious solution is ABC GP, LLC and ABC, LP.

3) At this point the following situation is unclear and the Bureau has taken the example under advisement and we are awaiting further clarification:

Suppose there is a company called Tony's Pizza (a sole proprietorship run by Tony Balogna). Tony dutifully files his fictitious name registration and publishes the filing. Several years later, Tony sells his business to George "Beer" Balogna. George purchases rights to the name, forms a corporation called Tony's Pizza,

Inc. Because all the signs, delivery vehicles, invoices, books etc. all say Tony's Pizza he must either add the Inc. or file another fictitious name (he doesn't want to take an assignment of the old fictitious name for liability reasons). If you read the various sections of the statute it would seem clear to us that since this is not an "other" entity (see 1303(b)(1)), that a consent is not even required and that this situation should be allowed without a consent. It is just another form of the name that the company that already had rights to the name wants to use.

4) The following is no longer an option:

Kris's Hair Port, LLC does business under the name Kris's Hair Port and has a fictitious name registered. The LLC sells Kris's to XYZ Corp. which wants to trade under the Kris's Hair Port name. XYZ will not be able to file a fictitious name (and again doesn't want to take an assignment of the old FN for liability reasons) because similar name consents are no longer permitted. Nor will the LLC be able to give a consent to XYZ to registered the name Kris's Hair Port, LLC since a corporation can not use the LLC designator in a fictitious name.

5) The following is no longer an option:

Consolidated Statutes, LLC is a DE corporation. It wants to do business in PA but while trying to file its qualification, Esquire Assist, Ltd. told them that it will be rejected because there is already a company in PA by the name Consolidated Statutes Corp. It will no longer be possible for Consolidated Statutes, LLC to obtain a consent from Consolidated Statutes Corp. Esquire Assist, Ltd. advises the DE corporation they they will need to do a limited certificate of authority filing which involves the filing of a fictitious name registration, and thereafter trade under that fictitious name, for instance, they could select ConStat as their fictitious name (assuming ConStat is available).

Take a look at the current Consent form which will probably be changed in the near future: [CLICK HERE](#)

Note: The Bureau is implementing a change in the law that occurred some time ago.

Latest News: WEDNESDAY APR 23, 2008

- [**VIRTUAL TOUR OF THE PA CORPORATION BUREAU**](#)
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- [PA LINK OF THE DAY: HERE IS A BUDDING PA BUSINESS: W. ATLEE BURPEE COMPANY](#)
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- [TURN AROUND TIMES](#)
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Virtual Tour of the PA Corporation Bureau

The PA Corporation Bureau has a unit within it that is responsible for reviewing filings. The Bureau first makes sure that payment accompanies the filing. If there are no funds or insufficient funds the Bureau immediately rejects the filing. If payment is ok, the Bureau scans the document and sends it into a queue where it is eventually reviewed by a staff member of the "Review section" at one time called the "Business Assistance" unit. They will review the filing and either accept it or reject it. In most cases, if the filing is rejected, it can be resubmitted within 30 days and retain the original submission as the filing date.

Now, with the new more restrictive consent policy, if a filing is rejected because the name is unavailable due to a conflict, obtaining a consent will hardly ever be an option. A change of name will be required. Just remember not to change any dates on the documents which would result in the loss of your submission date as the date of filing. The Bureau cannot put a filing date on a document that predates a later date on the document.

Tomorrow, a closer look at the document section.

By the way, check out our easy on-line ordering section which has a Prepare a Filing section. Click on the Online order section to the left. Also check out our new Order form... just [CLICK HERE](#).

[<< RETURN TO HEADLINES >>](#)

PA LINK OF THE DAY: Here is a budding PA business: W. ATLEE BURPEE COMPANY

Check out the Burpee web site, just [CLICK HERE](#)

or Check out the company history page by [CLICKING HERE](#)

FRONT PAGE NEWS

URGENT

APPROPRIATION OF NAME -

PART II- THIS IS ALL YOU HAVE LEFT:

First: It should be pointed out that the requirements for obtaining an appropriation of name have not changed and are not affected by the Bureau's recent actions (To review our story from 4-24-2008 on this issue relating to Use of Similar Name: [CLICK HERE](#));

Second: The requirement for obtaining an appropriation are set forth in title 15 section 1303(b)(1)(i)(A). What is an Appropriation?

Example: There is an existing corporation on record with the name "Elections Rn't US, Inc." from 1965. Your client wants to form a corporation by the exact name, "Elections Rn't Us, Inc." The only way your client will be able to use this name is to get a consent to appropriate the name from the 1965 company. If your client is forming an LLC, then the name can not be appropriated under any circumstances because it is not the same, i.e. it ends with LLC rather than Inc. (See Sec. 135(e)(3))

Third: In order to obtain the Consent to appropriate the Name of the 1965 company, that company must state that it is either:

- 1) Going to change its name;
- 2) About to cease doing business;

- 3) Being wound up; and
- 4) If it is a foreign corporation, that it is about to withdraw.

Tomorrow, some additional circumstances under which an your client will be able to use the desired name without obtaining a consent. These circumstance may prove to be very important, so tune in again, same time, same website.

Latest News: THURSDAY APR 24, 2008

- [**VIRTUAL TOUR OF THE PA CORPORATION BUREAU - DOCUMENT SECTION**](#)
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- [**TURN AROUND TIMES**](#)
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Virtual Tour of the PA Corporation Bureau - Document Section

The Document section of the Corporation Bureau processes Good Standings, Certified Copies, Great Seal certificates, plain copies, and even when possible, Long Form Good Standings (see our FAQ on this issue). The Document Section has reduced the time to obtain many of these documents but is still wildly unpredictable.

Several years ago the Bureau suspended "expediting services" for these documents when they were hopelessly behind in processing request. Those services have NOT been reinstated. Esquire Assist, Ltd. offers an unofficial version of the Good Standing and the Certified Copy documents offered by the Bureau. Over the last several years we have issued almost 4700 affidavits of good standing status or affidavits of all copies of record... and all of them on a same day or next day basis.

By the way, check out our easy on-line ordering section which has an easy way to order documents and searches. Click on the Online order section to the left. Also check out our new Order form... just [**CLICK HERE.**](#)

FRONT PAGE NEWS

URGENT

A) CONSENT TO APPROPRIATION OF NAME - OTHER WAYS TO GET A NAME

B) REVIEW ISSUES FROM LAST WEEK

C) CHECK OUT EA'S "UNOFFICIAL" CONSENT FORM

WAYS TO GET A NAME OTHER THAN A CONSENT:

-A-

1) Even though the proposed name may be identical to the name of an existing company, the existing company may have voluntarily or involuntarily surrendered rights to their name. If the existing company filed an Out of Existence affidavit with the Dept. of Revenue they surrender name exclusivity voluntarily. If the existing company fails to file tax reports with the Dept. of Revenue for three consecutive years, they "involuntarily" surrender rights to their name.

2) Another instance in which a consent is not needed despite the name matches is if an existing company was required to file a decennial report but failed to do so. See our FAQ on that subject.

-B-

REVIEW THE CONSENTS ISSUES FROM LAST WEEK:

The end of a Consent to Use of Similar Name: [CLICK HERE](#)

Requirements for a Consent to Appropriation of Name: [CLICK HERE](#)

-C-

Download Esquire Assist, Ltd.'s "UNOFFICIAL" Consent to Appropriation of Name Form by [CLICKING HERE](#)

Latest News: SUNDAY APR 27, 2008

- [NAME AVAILABILITY CHECKS...-](#)
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- [WORDLORE: THE BIG MAC](#)
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- [PA LINK OF THE DAY: HANDWRITING ANALYSIS BY A PITTSBURGH RESIDENT](#)
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- [TURN AROUND TIMES](#)
-
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Name Availability Checks...-

We will gladly check the availability of any name you would like to use before submitting the document. Just give us a call. While we can not guarantee the results of our search, we are often successful at finding conflicts or, even more important, finding availabilities where a conflict seems to exist (see URGENT above)

By the way, check out our easy on-line ordering section which has an easy way to order documents and searches. Click on the Online order section to the left. Also check out our new Order form... just [**CLICK HERE.**](#)

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WORDLORE: The Big Mac

Did you know that the Big Mac was invented here in PA? According to "Pennsylvania Magazine" (May/June 2008 Issue) it was invented by Jim Delligatti, a McDonald's franchisee at his store in Uniontown (Fayette County). There is now a combination Museum/Restaurant commemorating the event in

North Huntingdon (Westmoreland County). The sandwich was 40 last year. It originally sold in 1967 for 45 cents.

[Click Here](#)

Review our new MAP section in PA LINKS and our new map of PA's 67 Counties:
[Click Here](#)

[<< RETURN TO HEADLINES >>](#)

PA LINK OF THE DAY: Handwriting Analysis by a Pittsburgh Resident

Featured in the May/June issue of Pennsylvania Magazine is Michelle Dresbold, a Pittsburgh resident who wrote "Sex, Lies and Handwriting." For more information: [CLICK HERE](#)

FRONT PAGE NEWS

URGENT

Review Consent Updates From Last Week

Consent to Use of Similar Name Abolished: [CLICK HERE FOR MORE INFO](#)

Consent to Appropriation of Name - Available But Limited: [CLICK HERE](#)

Latest News: TUESDAY APR 29, 2008

- [TIP OF THE DAY -FAX/EMAIL FILINGS TO US-](#)
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- [REGIONAL DIALECTS - WILKES BARRE](#)
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- [PA LINK OF THE DAY: BE PREPARED FOR LARGE SCALE EMERGENCIES /FONT>](#)
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- [TURN AROUND TIMES](#)
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TIP OF THE DAY -FAX/EMAIL FILINGS TO US-

For those of you who don't know, you can fax/email filings to us - no original documents are required. But don't forget that many Corporation Bureau forms require a docketing statement. Always check the instruction set that follows the

form. If a DS is needed, the instructions will include a statement to that effect. Call us about how we handle payment arrangements.

Check out our new Order On-screen form... just [CLICK HERE](#) type in your info and print & fax to us, or log in and order on-line. It's easy, quick and reliable.

[**<< RETURN TO HEADLINES >>**](#)

REGIONAL DIALECTS - WILKES BARRE

Aunt Sally : 1) in parts of Wilkes-Barre, some kids address their mothers as "Aunt Sally" 2) sometimes polite women will say "I'm going to visit Aunt Sally" when they are on their way to the ladies room.

Taken from Coal Speak Dictionary: [Click Here](#)

Reference Map of PA: [Click Here](#)

[**<< RETURN TO HEADLINES >>**](#)

PA LINK OF THE DAY: Be Prepared for Large Scale Emergencies /font>

Visit today's site... PA Dept. of Health for emergency preparedness.

"Educating Pennsylvania's families on how to best prepare for a natural disaster; large-scale emergency or unexpected attack means more than anything. "

Download the Department's manual in English or Spanish... For more information: [CLICK HERE](#)

Reference Map of PA: [Click Here](#)

FRONT PAGE NEWS

URGENT

Review Consent Updates From Last Week

Consent to Use of Similar Name Abolished: [CLICK HERE FOR MORE INFO](#)

Consent to Appropriation of Name - Available But Limited: [CLICK HERE](#)

Latest News: WEDNESDAY APR 30, 2008

- [TIP OF THE DAY -PA STATE FORMS](#)
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- [LEHIGH VALLEY TRANSFORMATION](#)
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- [PA LINK OF THE DAY: STOP IN AND SEE THE FALCONS ON THE DEP BUILDING](#)
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- [TURN AROUND TIMES](#)
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TIP OF THE DAY -PA State Forms

Check our Web Site under the Forms Tab. Our PA state forms have brief explanation designed to help you pick the correct form or avoid common problems. You won't find that on the state web site. .

Check out our new Order On-screen form... just [CLICK HERE](#) type in your info and print & fax to us, or log in and order on-line. It's easy, quick and reliable.

<< RETURN TO HEADLINES >>

Lehigh Valley Transformation

The following was taken from NewPA.com:

BETHLEHEM -- Department of Community and Economic Development Secretary Dennis Yablonsky today said the Lehigh Valley is a tremendous example of Pennsylvania's transition to a new economy.

"The Lehigh Valley hasn't been content to rise and fall with external forces," Yablonsky said during a visit to the region. "The people in this area involved in private business, economic development organizations, and higher education have stepped up, worked together, and made things happen."

Yablonsky joined Bethlehem Mayor John Callahan to talk about the strides the city and the valley have made in redefining themselves, transitioning from a "smokestack and steel" economy to one where technology, biosciences and related businesses dominate.

Read the remainder of the article: [**Click Here**](#)

Reference Map of PA: [**Click Here**](#)

<< RETURN TO HEADLINES >>

PA LINK OF THE DAY: Stop in and See the Falcons on the DEP Building

[**CLICK HERE**](#) Click on the live feed link. Remember to check back often and watch the family grow.

Reference Map of PA: [**Click Here**](#)