

# North Dakota LLC Formation Checklist

## Step 1: Name Your North Dakota LLC

The name of your North Dakota LLC should be distinguishable from other business names in your state and must meet the North Dakota naming guidelines.

How to Complete This Step:

Review North Dakota's naming guidelines

- Your name must include the phrase "limited liability company" or one of its abbreviations (LLC or L.L.C.). It cannot contain the words "limited" or "company" without association with the words "limited liability company."
- Your name cannot contain the words "corporation," "incorporated," "limited partnership," or "limited liability partnership" or abbreviations of these.
- Your name cannot imply that the LLC was organized for an unlawful purpose or one not outlined in its Articles of Organization.
- Your name cannot include words that could confuse your LLC with a government agency (FBI, Treasury, State Department, etc.).
- In some states, certain restricted words (e.g. Bank, Attorney, University) may require additional paperwork and a licensed individual to be part of your LLC.
- Your name may not be the same as or deceptively similar to any existing business in the state. This includes North Dakota reserved names.

[Brainstorm business names](#)

Check if the [web domain](#) is available

Make sure the name you want isn't already taken by doing a [business search](#) on the Secretary of State's website.

Your Business Name:

Your Business URL:

## Step 2: Choose a Registered Agent

A [registered agent](#) is the person or company you choose to accept official communication on behalf of your LLC.

Your registered agent must be:

- 18 years or older
- A resident of North Dakota
- Available at all times during normal business hours (i.e., 9 a.m.–5 p.m. Monday through Friday) at their listed physical address (no P.O. boxes)

Many businesses choose to use a [registered agent service](#) for convenience and privacy.

Registered Agent Name and Address:

## Step 3: File Your Articles of Organization

The Articles of Organization is the paperwork required to register your LLC. This document is filed [online](#) with the Secretary of State.

You will need to provide the following information:

- Name of the LLC (Step 1)
- Principal office address
- Name and address of the registered agent (Step 2)
- Effective date and business duration
- Names and addresses of organizers

This is also a good time to decide if your LLC will be [member-managed or manager-managed](#).

A member-managed LLC structure is when the members of the LLC are involved with the management of the LLC. A manager-managed LLC is when a few assigned individuals are responsible for managing the LLC.

## Step 4: Create an Operating Agreement

An [operating agreement](#) lays out the rules and management structure of your LLC.

Your operating agreement doesn't need to be filed with the state. You'll keep it in your LLC records file and return to it as needed to clarify rules and settle disputes.

## Step 5: Get an EIN

An Employer Identification Number ([EIN](#)) is like a Social Security number for your business. EINs are free and easy to get from the IRS using [Form SS-4](#) or by filling out the [online application](#).