

West Virginia LLC Formation Checklist

Step 1: Name Your West Virginia LLC

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

How to Complete This Step:

Review West Virginia's naming guidelines

- Your name must include the phrase "limited liability company" or "limited company" or one of their abbreviations (LLC, L.L.C., LC, or L.C.). "Limited" may be abbreviated as "Ltd." and "company" may be abbreviated as "Co."
- Your name cannot include any of the following: incorporated, corporation, company, limited, inc., corp., co., or ltd.
- Your name cannot contain any word or phrase which implies that the LLC is organized for any purpose other than the one stated in its articles of organization.
- The terms "banking" and/or "insurance" cannot be used in the business name if the business activity does not include "banking" and/or "insurance."
- Words such as "engineer" or "engineering" may only be used if the purpose is to practice professional engineering and one of the principals is a registered West Virginia professional engineer.
- Some other licensed professions have specific requirements and prohibitions.
- Your name cannot include "911."
- Your name cannot include words that could confuse your LLC with a government agency (FBI, Treasury, State Department, etc.).
- Your name must be distinguishable from any existing business in the state. This includes West Virginia 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 organization search](#) on the West Virginia Secretary of State website.

Your Business Name:

Your Business URL:

Step 2: Choose an Agent for Service of Process

An [agent for service of process](#) (known as a registered agent in most states) 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 West Virginia
- 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 with the Secretary of State either [online](#), by [mail](#), by email, by fax, or in person.

You will need to provide the following information:

- Name of the LLC (Step 1)
- Principal office address
- Designated office address
- Name and address of the agent for service of process (Step 2)
- Email address and website
- Name and address of the organizer
- Management structure ([member-managed or manager-managed](#))
- Names and addresses of members or managers
- Purpose of the business

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](#).