



# State of Utah

DEPARTMENT OF COMMERCE  
DIVISION OF CONSUMER PROTECTION

## BUSINESS OPPORTUNITY DISCLOSURE REGISTRATION FORM

Registration fee: \$200.00 (Non-refundable)  
Make check payable to the State of Utah.

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Registrant's Name  
(This should be the legal name of institution that is registering.)

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Date of Registration

### OFFICE USE ONLY

Permit Number: \_\_\_\_\_

Date Permit Issued: \_\_\_\_\_

Permit Expiration: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

If you have any questions, please contact the Division at (801) 530-6601.

Please return the completed application form to:

Department of Commerce  
Division of Consumer Protection  
160 East 300 South, Second Floor  
SM Box 146704  
Salt Lake City, Utah 84114-6704

1. Registrant's Name: \_\_\_\_\_

2. Registrant's Principal Place of Business:

A. Physical Address: \_\_\_\_\_

Street

City

State

Zip Code

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

B. Mailing Address: \_\_\_\_\_

Street

City

State

Zip Code

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

C. Website or web address homepage: \_\_\_\_\_

3. Registered Agent: \_\_\_\_\_

Name

Address:

Street

City

State

Zip Code

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

4. Does Registrant have a parent or holding company?  Yes  No

If "yes", please indicate the following:

Name: \_\_\_\_\_

Principal Place of Business: \_\_\_\_\_

Street

City

State

Zip Code

5. Name(s) under which the Registrant transacts business, if different than the legal name:

\_\_\_\_\_

6. Number of business opportunities sold to date: \_\_\_\_\_ Number of business opportunities under negotiation: \_\_\_\_\_

\_\_\_\_\_

Please enclose geographical information including all states, and other nations if applicable, in which Registrant's business opportunities have been sold and the number of plans in each location. Attach Exhibit header sheet A.

7. Total number of business opportunities cancelled by Registrant in the past 12 months: \_\_\_\_\_

8. Number of business opportunities voluntarily terminated by Purchasers in the past 12 months: \_\_\_\_\_

Total number of business opportunities voluntarily terminated by Purchasers to date: \_\_\_\_\_

9. Please enclose a **signed** financial statement no older than 13 months, signed by one of Registrant's officers, directors, trustees, or general or limited partners under a declaration that to the signatory's knowledge and belief the information in the financial statement is true and accurate. Attach Exhibit header sheet B.
10. Please enclose a copy of the entire business opportunity contract. Attach Exhibit header sheet C.
11. Please enclose copies of all written or visual representations that will be made to prospective purchasers about specific levels of potential sales, income, gross and net profits, or any other representations that suggest a specific level of income. These representations must be relevant to the geographic market in which the business opportunity is to be located and include the following warning in not less than 12 point boldface type:

**CAUTION**

No guarantee of earnings or ranges of earnings can be made. The number of purchasers who have earned through this business an amount in excess of the amount of their initial payment is at least \_\_\_\_\_, which represents \_\_\_\_\_% of the total number of purchasers of this business opportunity. Attach Exhibit header sheet D.
12. Please enclose copies of any promotional materials used or to be used by either the Registrant or the purchaser, whether in writing or in any other form. Attach Exhibit header sheet E.
13. Please enclose a copy of each trademark, trade name, service mark, advertisement or other commercial symbols that identify the products, equipment, supplies or services to be offered, sold or distributed to prospective purchasers. If such commercial symbols have been properly registered with the US Patent and Trademark Office, please include documentation of such registration. Attach Exhibit header sheet F.
14. Please enclose copies of the single disclosure statement or prospectus required under Section 13-5-5 of the Business Opportunity Disclosure Act. Attach Exhibit header sheet G.
15. Costs to obtain or commence business opportunity:  
Please complete the worksheet below and indicate the total amount that shall be paid by prospective purchasers: \$ \_\_\_\_\_

a. Initial fees	\$ _____
b. Deposits	\$ _____
c. Down Payments	\$ _____
d. Prepaid Rent	\$ _____
e. Equipment/Inventory purchases	\$ _____
f. Any other costs necessary to commence the business opportunity	\$ _____

If all or part of these fees or deposits are returnable, disclose the conditions under which they are returnable. Refund policies must comply with UTAH ADMIN. CODE § 152-11-10 and any other laws applicable to Registrant.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach a copy of Registrant's written refund policy. Affix Exhibit header sheet H.

16. Provide a complete statement of the actual services Registrant will perform for purchasers. If additional services necessary to commence the business opportunity will be performed by an entity other than the Registrant, please so indicate and describe below:

Check if information requested is provided in attachments to this application. Affix Exhibit header sheet I to attachments.

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17. Provide a complete statement of all oral representations that will be made to prospective purchasers about specific levels of potential sales, income, gross and net profits, or any other representations that suggest a specific level of income:

Check if information requested is provided in attachments to this application. Affix Exhibit header sheet J to attachments.

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18. Please provide the following information regarding any training promised to prospective purchasers:

Type of training promised:

Length of training:

Type of training promised:	Length of training:
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

19. Please provide a complete description of any services to be performed by Registrant in connection with the placement of equipment, products, or supplies at any location from which they will be sold or used.

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Please provide copies of any agreements that will be made by Registrant with owners or managers of locations where Purchasers' equipment, products, or supplies will be placed. Affix Exhibit header sheet K to attachments.

20. List the following information for the Registrant, parent or holding company, and all current directors and executive officers:

Attach additional sheets if necessary.

Check if information requested is provided in attachments to this application. Affix Exhibit header sheet L to attachments.

• Name: \_\_\_\_\_

\_\_\_\_\_  
Past 5 years of business experience

\_\_\_\_\_  
Length of time conducting business of the type advertised

\_\_\_\_\_  
Length of time offering or selling Registrant's business opportunity

\_\_\_\_\_  
Length of time offering or selling other business opportunities; Description of other business opportunities

\_\_\_\_\_  
Felony or misdemeanor convictions or nolo contendere pleas involving fraud, embezzlement, fraudulent conversion, or misappropriation of property

\_\_\_\_\_  
Judgments in any civil actions based upon fraud, embezzlement, fraudulent conversion, misappropriation of property, use of untrue or misleading representations in the sale or attempted sale of real or personal property, or the use of any unfair, unlawful or deceptive business practice.

\_\_\_\_\_  
Injunctions or restrictive orders relating to business activity as the result of an action brought by a public agency

• Name: \_\_\_\_\_

\_\_\_\_\_  
Past 5 years of business experience

\_\_\_\_\_  
Length of time conducting business of the type advertised

\_\_\_\_\_  
Length of time offering or selling Registrant's business opportunity

\_\_\_\_\_  
Length of time offering or selling other business opportunities; Description of other business opportunities

\_\_\_\_\_  
Felony or misdemeanor convictions or nolo contendere pleas involving fraud, embezzlement, fraudulent conversion, or misappropriation of property

\_\_\_\_\_  
Judgments in any civil actions based upon fraud, embezzlement, fraudulent conversion, misappropriation of property, use of untrue or misleading representations in the sale or attempted sale of real or personal property, or the use of any unfair, unlawful or deceptive business practice

\_\_\_\_\_  
Injunctions or restrictive orders relating to business activity as the result of an action brought by a public agency

• Name: \_\_\_\_\_

\_\_\_\_\_  
Past 5 years of business experience

\_\_\_\_\_  
Length of time conducting business of the type advertised

\_\_\_\_\_  
Length of time offering or selling Registrant's business opportunity

\_\_\_\_\_  
Length of time offering or selling other business opportunities; Description of other business opportunities

\_\_\_\_\_  
Felony or misdemeanor convictions or nolo contendere pleas involving fraud, embezzlement, fraudulent conversion, or misappropriation of property

\_\_\_\_\_  
Judgments in any civil actions based upon fraud, embezzlement, fraudulent conversion, misappropriation of property, use of untrue or misleading representations in the sale or attempted sale of real or personal property, or the use of any unfair, unlawful or deceptive business practice

\_\_\_\_\_  
Injunctions or restrictive orders relating to business activity as the result of an action brought by a public agency

• Name: \_\_\_\_\_

\_\_\_\_\_  
Past 5 years of business experience

\_\_\_\_\_  
Length of time conducting business of the type advertised

\_\_\_\_\_  
Length of time offering or selling Registrant's business opportunity

\_\_\_\_\_  
Length of time offering or selling other business opportunities; Description of other business opportunities

\_\_\_\_\_  
Felony or misdemeanor convictions or nolo contendere pleas involving fraud, embezzlement, fraudulent conversion, or misappropriation of property

\_\_\_\_\_  
Judgments in any civil actions based upon fraud, embezzlement, fraudulent conversion, misappropriation of property, use of untrue or misleading representations in the sale or attempted sale of real or personal property, or the use of any unfair, unlawful or deceptive business practice

\_\_\_\_\_  
Injunctions or restrictive orders relating to business activity as the result of an action brought by a public agency

• Name: \_\_\_\_\_

\_\_\_\_\_  
Past 5 years of business experience

\_\_\_\_\_  
Length of time conducting business of the type advertised

\_\_\_\_\_  
Length of time offering or selling Registrant's business opportunity

\_\_\_\_\_  
Length of time offering or selling other business opportunities; Description of other business opportunities

\_\_\_\_\_  
Felony or misdemeanor convictions or nolo contendere pleas involving fraud, embezzlement, fraudulent conversion, or misappropriation of property

\_\_\_\_\_  
Judgments in any civil actions based upon fraud, embezzlement, fraudulent conversion, misappropriation of property, use of untrue or misleading representations in the sale or attempted sale of real or personal property, or the use of any unfair, unlawful or deceptive business practice

\_\_\_\_\_  
Injunctions or restrictive orders relating to business activity as the result of an action brought by a public agency

Registrant acknowledges that UTAH CODE ANN. § 13-15-4(3) requires Registrant to receive proof of receipt of this filing from the Division of Consumer Protection before commencing business in this state.

DATED: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

BY \_\_\_\_\_  
ITS

**VERIFICATION**

STATE OF \_\_\_\_\_ )  
: ss  
COUNTY OF \_\_\_\_\_ )

The undersigned, being first duly sworn upon oath, deposes and states as follows: 1) that the undersigned has signed the foregoing application on behalf of the Applicant as its authorized officer or agent and as such is personally familiar with the statements made in herein; 2) that the undersigned has read the statements made herein; 3) that to the best of his/her knowledge the statements are true and correct; and 4) that should circumstances result in any modification of the content of this application or attachments thereto, the applicant will advise the Division; 5) that should the Applicant cease its operation for any reason, it will inform the Division of such action; and 6) that the Applicant understands that failure to abide by the Division's rules may result in denial or withdrawal of registration authority to offer and/or sell business opportunities in the State of Utah.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
AFFIANT  
[Signature before Notary Public is required.]

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:



## EXHIBIT SUMMARY

- Exhibit A:** Geographical information including all states, and other nations if applicable, in which Registrant's business opportunities have been sold and the number in each location.
- Exhibit B:** Financial statement no older than 13 months signed by one of Registrant's officers, directors, trustees, or general or limited partners under a declaration that to the signatory's knowledge and belief the information in the financial statement is true and accurate.
- Exhibit C:** Entire business opportunity contract.
- Exhibit D:** Copies of all written or visual representations, relevant to the geographic market in which the business opportunity is to be located, that will be made to prospective purchasers about specific levels of potential sales, income, gross and net profits, or any other representations that suggest a specific level of income. Please highlight the warning required by UTAH CODE ANN. § 13-15-4(5).
- Exhibit E:** Copies of all promotional materials used or to be used by either the Registrant or the purchaser, whether in writing or in any other form.
- Exhibit F:** Copies of each trademark, trade name, service mark, advertisement or other commercial symbols that identify the products, equipment, supplies or services to be offered, sold or distributed to prospective purchasers. If such commercial symbols have been properly registered with the US Patent and Trademark Office, please include documentation of such registration.
- Exhibit G:** Copies of the single disclosure statement or prospectus required by UTAH CODE ANN. § 13-5-5.
- Exhibit H:** Copy of Registrant's written refund policy.
- Exhibit I:** A complete statement of the actual services Registrant will perform for purchasers and any additional services necessary to commence the business opportunity that will be performed by an entity other than the Registrant.
- Exhibit J:** A complete statement of all oral representations that will be made to prospective purchasers about specific levels of potential sales, income, gross and net profits, or any other representations that suggest a specific level of income.
- Exhibit K:** Copies if any agreements that will be made by Registrant with owners or managers of locations where purchasers' equipment, products, or supplies will be placed.
- Exhibit L:** Statement that discloses any Registrant, parent or holding company, current directors and executive officers who have been convicted of a felony or misdemeanor, pleaded nolo contendere to a felony or misdemeanor charge, held liable in any civil action, or subject to an injunction or restrictive order by a public agency based upon fraud, embezzlement, fraudulent conversion, misappropriation of property, use of untrue or misleading statements in the sale or attempted sale of any real or personal property, or use of any unfair, unlawful or deceptive business practice.
- Exhibit M:** Other miscellaneous attachments
- Exhibit N:** Other miscellaneous attachments

# **EXHIBIT A**

# **EXHIBIT B**

# **EXHIBIT C**

# **EXHIBIT D**

# **EXHIBIT E**

# **EXHIBIT F**

# **EXHIBIT G**



# **EXHIBIT H**

# **EXHIBIT I**

# **EXHIBIT J**

# EXHIBIT K

# EXHIBIT L

# EXHIBIT M

# EXHIBIT N