

ORDER under the Limited Liability Partnerships Act 2000 (as amended) and the Companies Act 2006

In the matter of application No. 700 by Intel Corporation for a change of name of Limited Liability Partnership No. OC390088

DECISION

The overseas Limited Liability Partnership name INTELLIP LLP has been registered since 24 December 2013 under number OC390088.

By an application filed on 20 February 2014, Intel Corporation applied for a change of name of this registration under the provisions of regulation 12 of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009.

A copy of this application was, in accordance with regulation 16 of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 and rule 3(2) of the Company Names Adjudicator Rules 2008, sent to the primary respondent's registered office on 21 March 2014, by Royal Mail special delivery. On 28 April 2014, the parties were advised that no defence had been received to the application and so the adjudicator may treat the application as not being opposed and may make an order under sections 73(1) and 1047 of the Companies Act 2006. The parties were granted a period of 14 days to request a hearing in relation to this matter, if they so wished. No request for a hearing was made.

The primary respondent did not file a defence within the one month period specified by the adjudicator under rule 3(3). Rule 3(4) states

“The primary respondent, before the end of that period, shall file a counter-statement on the appropriate form, otherwise the adjudicator may treat it as not opposing the application and may make an order under section 73(1).”

Under the provisions of this rule, the adjudicator may exercise discretion so as to treat the respondent as opposing the application. In this case I can see no reason to exercise such discretion and, therefore, decline to do so.

As the primary respondent has not responded to the allegations made, it is treated as not opposing the application. Therefore, in accordance with sections 73(1) and 1047 of the Companies Act 2006, I make the following order:

- (a) INTELLIP LLP shall change its name **within one month** of the date of this order to one that is not an offending name¹;
- (b) INTELLIP LLP shall:

- (i) take such steps as are within its power to make, or facilitate the making, of that change;
- (ii) not to cause or permit any steps to be taken calculated to result in another Limited Liability Partnership being registered with a name that is an offending name.

If no such change is made within one month of the date of this order, I will determine a new Limited Liability Partnership name as per sections 73(4) and 1047 of the Act and will give notice of that change under section 73(5) of the Act.

Intel Corporation, having been successful, is entitled to a contribution towards its costs. I order INTELLIP LLP to pay Intel Corporation costs on the following basis:

Fee for application:	£400
Statement of case:	£400
Total:	£800

This sum is to be paid within seven days of the expiry of the appeal period or within seven days of the final determination of this case if any appeal against this decision is unsuccessful.

Any notice of appeal against this decision to order a change of name must be given within one month of the date of this order. Appeal is to the High Court in England, Wales and Northern Ireland and to the Court of Session in Scotland.

The company adjudicator must be advised if an appeal is lodged, so that implementation of the order is suspended.

Dated this 23rd day of May 2014

Judi Pike
Company Names Adjudicator

ⁱAn “offending name” means a name that, by reason of its similarity to the name associated with the applicant in which he claims goodwill, would be likely to be the subject of a direction under section 67 (power of Secretary of State to direct change of name), or to give rise to a further application under section 69.