



*NOTE: The information provided herein is for informational purposes only and not for the purpose of providing legal advice. You should contact your attorney for advice with respect to any legal issue or question.*

With the implementation of the USASF Program Definition, we have found it necessary to provide some clarifications and definitions.

### **USASF PROGRAM MEMBER PROFILE**

The USASF will recognize the **legal entity** as the Program (*see definition for legal entity*). The true name of your **legal entity** is how your program should be registered with the USASF.

In your USASF profile there will be 3 fields:

1. **Legal Entity Name:** *This is where you will enter the true name of your legal entity*
2. **DBA:** *This is where you will enter any DBA or Fictitious Name. These may have to be registered with your local or state governmental agency (see Doing Business As name explanation).*
3. **Display Name as:** *This is how you would like your "name" displayed on the USASF website and your Event Rosters. Typically this should be your recognized name and how you are listed on event programs for competitions. Your "Display Name" might be your Legal Entity Name, your DBA or something different if you choose.*

### **CERTIFICATE OF INSURANCE**

Your certificate of insurance must list your **legal entity** and must match how you are listed in your USASF Program Member Profile. You will be asked to upload your declaration page. The USASF recommends checking with your insurance company as to its requirement for how to list your program name on the certificate to make certain that insurance coverage is valid in the event of a claim.

### **LICENSED LOCATIONS**

The USASF will recognize any gym/location as part of a program if they have a **licensed** relationship with another gym/location with or without an actual "license" in place. Any agreement, written or otherwise, that allows a second gym/location to use their brand/name in the all star industry will be considered a licensed location.

In the declaration of a program, the licensed location(s) will be considered part of the program. It is up to the entire enterprise to declare whether or not they will be considered one entity (sharing athletes) or separate entities (not sharing athletes).

### **SMALL GYM DECLARATION**

For the purpose of the program declaration, the small gym determination follows the definition of small gym found on the age grid. For the 2013-2014 season, a small gym is any program that has 75 or fewer traditional all star cheer athletes. The program participants involved in all star prep, all star dance and special needs will not be counted when making the determination.

If a program has multi-locations, the total number of athletes at all locations determines small gym status. No single location in a multi-location program will be considered small gym unless the total number of the athletes at all locations is 75 or fewer.



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## **DEFINITIONS:**

### **LEGAL ENTITY**

**Definition:** *A legal entity is an association, corporation, partnership, proprietorship, trust, or individual that has legal standing in the eyes of law. A legal entity has legal capacity to enter into agreements or contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and to be held responsible for its actions.*

*In most cases a legal entity has a Federal EIN associated with it. If your business structure takes a form other than sole proprietor you are required to have an EIN. The letters EIN are the shortened name for an Employer Identification Number. This number is issued by the IRS to all business which must file tax returns.*

Read more: <http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Business-Structures>

Read more: <http://www.businessdictionary.com/definition/legal-entity.html#ixzz2hAfpTHn6>

### **DOING BUSINESS AS NAME**

**Explanation:** *A company is said to be "doing business as" when the name under which they operate their business differs from its legal, registered name. Some states require DBA or fictitious business name filings to be made for the protection of consumers conducting business with the entity.*

*Procedures for filing for a fictitious name vary among states. In many states, all you have to do is go to the county offices and pay a registration fee to the county clerk.*

Read more: <http://www.entrepreneur.com/encyclopedia/doing-business-as-dba>