6-07/540.00 Franchises

Section 31420 of the Corporations Code provides for service of process on the Corporations Commissioner when personal jurisdiction over a franchisor or sub-franchisor cannot otherwise be obtained in this state. Such service may be made by leaving a copy of the process in the office of the Commissioner.

Before a summons against a Franchise is assigned out for service, the “Notice to the Person Served” at the bottom of the summons shall be completed by (1) inserting the name of the defendant Franchise after the words “on behalf of,” (2) checking the box “CCP 416.10 (Corporation) ” and, (3) when applicable, checking the box “as an individual defendant.” This shall be done on the copy of the summons that is left with the defendant. If the summons is served using the substitute method, both copies of the summons shall be completed in this manner. Refer to example in 6-07/510.00 Corporation - for completing the bottom of the Summons and completion of the Proof of Service.