

Form 3701—General Information
**(Registration of Claim for Use of Deceased Individual’s Name,
Voice, Signature, Photograph, or Likeness)**

The attached form is designed to meet minimal statutory filing requirements pursuant to the relevant code provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Commentary

Chapter 26 of the Texas Property Code and the secretary of state’s administrative rules found in title 1, chapter 76 of the Texas Administrative Code govern the use of a deceased individual’s property rights, including the deceased individual’s name, voice, signature, photograph, or likeness. A person who claims to own a property right of a deceased individual may register that claim with the secretary of state. Registration of a claim is prima facie evidence of the claim’s validity, and a registered claim is generally superior to a conflicting, unregistered claim. Tex. Prop. Code § 26.007.

Registration with the secretary of state prior to exercising a property right of a deceased individual is optional, except during the first year following the individual’s death. For the first year following the death of the individual, an owner of a property right may exercise that right only if the owner registers a valid claim with the secretary of state. Section 26.006 sets forth the requirements for a registration of claim.

A registration of claim is effective the date the completed registration and filing fee are received by the secretary of state.

Instructions for Form

- **Claimant Information:** The registration of claim must set forth the claimant’s name, address, and a statement of the basis of the claim.

A document on file with the secretary of state is a public record subject to public access and disclosure. When providing address information for owners, use a business or post office box address rather than a residence address if privacy concerns are an issue.

- **Property Rights Claimed:** Include the name and date of death of the deceased individual and state the percentage interest in the property rights claimed, such as 100%, 50%, 25%, or some other interest. Select either A or B to indicate whether the stated percentage interest is claimed in all property rights of the deceased individual or limited rights. If B is selected, describe the limited rights that are claimed.
- **Execution:** The claimant must sign and date the registration statement before a notary public or other official who has authority to administer an oath.
- **Payment and Delivery Instructions:** The filing fee for a registration of claim is **\$25**. Fees may be paid by personal checks, money orders, LegalEase debit cards or MasterCard, Visa, and Discover credit cards. Checks or money orders must be payable through a U.S. bank or financial institution and made payable to the secretary of state. Fees paid by credit card are subject to a statutorily authorized convenience fee of 2.7 percent of the total fees.

The completed form, along with the filing fee, may be mailed to P.O. Box 13550, Austin, Texas 78711-3550 or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701.

Submit to:
SECRETARY OF STATE
Statutory Documents Section
P O Box 13550
Austin, TX 78711-3550
512-475-0775
512-475-2815 - Fax
Filing Fee: \$25



**REGISTRATION OF CLAIM
FOR USE OF
DECEASED INDIVIDUAL'S
NAME, VOICE, SIGNATURE,
PHOTOGRAPH, OR LIKENESS**

Claimant Information

Name: _____

Address: _____
Street City State Zip

Complete one of the following to state the basis for the claim:

- A. Claimant has been appointed by a court for the benefit of the estate of the deceased individual.
Select title: independent executor executor independent administrator
 temporary or permanent administrator temporary or permanent guardian
- B. Claimant is a surviving relative of the deceased individual.
Select relationship: spouse child grandchild parent
- C. Claimant has been transferred the property rights of the deceased individual.
Select method of transfer: contract trust will

Property Rights Claimed

Name of deceased individual: _____

Date of death: _____ Percentage of property rights claimed: _____ %

Complete one of the following to state the type of rights in which the above percentage is claimed:

- A. All types of property rights of the deceased individual are claimed.
- B. Limited rights are claimed as follows: _____

Execution

Date: _____

Signature of Claimant

Printed or typed name of Claimant

State of _____)
County of _____)

Sworn to and subscribed before me this _____ day of _____, 20 ____.

(seal)

Notary Public Signature