F.A. Q: Why Incorporate or Form an LLC in Delaware for a non-US-Resident?

Q: I am not a us resident. Can I own an LLC (Limited Liability Company) in Delaware?
A: Yes! As a non-us resident you can form an LLC in Delaware or any other state.

Q: I don’t have a social security number. Can I be the owner of a US LLC?
A: Yes!. You can own an LLC or a Corporation without social security number.

Q: I am a Resident / Citizen of UK, Germany, France, Italy, Spain, Australia, Austria, India, China, Indonesia, Malaysia, Israel, Turkey, Europe, Asia… Can I setup a Delaware LLC or Corporation?
A: Yes. There are no restrictions on ownership of a Delaware LLC or Corporation. Resident and Citizens of any of the countries mentioned above and any other country can form an LLC or incorporate a Corporation.

Q: Can I be a sole owner of a Delaware LLC? Can I be the only shareholder of a DE Corporation?
A: Yes! You can be a sole member or the only owner of a Delaware LLC. It means that an LLC can have only ONE owner = one member. A Corporation can also have only one shareholder. Both LLC & Corporation can have only one owner and this one owner can be a non-us-resident without social security number.

Q: Can one person be an officer and director. Can the officer or director be a non-us-resident?
Yes, one person (U.S. or foreign) can be the President, Secretary, Treasurer and Sole Director of a Corporation, without disclosing the name or names in the Certificate of Incorporation. (Note: the Director or Directors are allowed to amend the bylaws of the Corporation).
One person (U.S. or foreign) can also be the owner and managing member of an LLC.

Requirements for a Delaware LLC Corporation for non-us-resident

Q: What are the requirements from a foreign citizen, non-us-resident without a social security number to form an LLC in Delaware or in the US?
A: you will need to have a copy of your photo ID (passport) and a proof of address. You do NOT need to have a social security number to own a US LLC.

Q: Do I need to be present in the US to form the LLC or incorporate a US or Delaware Corporation?
A: No! You don't need to be present in the US to open a US Company or LLC.

Q: Do I need to have a US Address to form a Delaware LLC or incorporate a Corporation?
A: No! You don't need to have a Delaware address or any US Business address. We will provide you with US or Business Address and Resident Agent Service to enable you to form LLC or Incorporate a Corporation.

Q: Do I need to maintain a Delaware office or Employ workers to be able to own an LLC?
A: No! You don't need to maintain a physical office or to employ workers in Delaware or any other state to own a Delaware LLC or Corporation. The LLC or Corporation may use the US business address we will provide and you may engage a "virtual office" if you wish to.

Q: Are there any minimum capital requirements? Do I need to invest a minimum amount of USD to form a Delaware LLC or Corporation?
A: No! Delaware does not have a minimum capital requirement to incorporate a Corporation or form an LLC. It means, you may form an LLC or Incorporate a Corporation with Zero investment or no capital at all.

**What Entity Types I can own as a non-us-resident and what are the differences between them?**

Q: As a non-us-resident Entity Types I can own in Delaware?
A: Non-US-Resident has the following options to setup a US Entity:
1. C. Corporation, known as Sample Company Name, INC.
2. Limited Liability Company, known as Sample Company Name, LLC.

**What is the difference between a Delaware Corporation and a Delaware Limited Liability Company (LLC)?**
Like a Corporation, a Delaware LLC offers limited liability to its owners. Unlike a Corporation, however, an LLC is taxed as a Partnership or Sole Proprietorship (unless the LLC elects to be taxed as a Corporation). This allows an LLC to pass all its income and losses through to the owners.
Furthermore, the LLC has an advantage over a C-Corporation which makes an S-Corporation tax election because the S-Corporation can only have 100 stockholders and the stockholders cannot be Corporations or non-U.S. citizens.

**What is a General C-Corporation?**
For tax purposes, all Corporations are General C-Corporations when they are formed. This tax status permits them to pay a 15% federal rate on the first $50,000 of taxable income each year.

An LLC can elect the C-Corporation tax status. They can deduct health insurance, medical and dental expenses and disability insurance premiums for employees (who may also be stockholders).

**How does a Delaware Corporation or LLC limit my liability?**
The stockholders of a Corporation and the owners of units in an LLC are not personally liable to the creditors of a Corporation or LLC unless they personally guarantee the obligations.

**EIN – Tax ID Number for Non-US-Resident**

**Q: What is EIN? What is FEIN or FTIN? What is Tax ID Number?**
A: EIN stands for Employer Identification Number. Employer Identification Numbers can also be referred to as Federal Employer Identification Numbers (FEIN), Tax Identification Numbers, and Federal Tax Identification Numbers (FTIN).

EIN=Tax ID Number = FEIN = FTIN

**Q: If I Incorporate a Delaware Corporation or LLC, do I need EIN?**
A: An EIN is issued to all corporations established in the US. The EIN is analogous to a Social Security Number (SSN). It is a way for the federal government to examine the status of any corporation operating inside the US. Any legal document sent to any branch of the federal, and sometimes a state, government requires one to list an Employer Identification Number.

**Q: Who must retrieve EIN?**
A: if you operate your business as a Delaware or US Corporation or LLC, if you have employees, if you need to file tax return or employment returns, if you withhold taxes on income, other than wages, paid to a non-resident alien.

**Q: Does EIN number reflect my entity type or my tax status?**
A: The Employer Identification Number does not signify the type of status a corporation holds, but rather, helps to maintain adequate records. All companies, whether held by one person or by multiple people, have an EIN. An EIN also does not reflect taxable status. Both profit and non-profit corporations have them.

**Q: In order to open a bank account, do I need EIN?**
A: Yes! You must provide EIN to any bank in order to open a bank account for Delaware LLC or Corporation.

**The Delaware Formation / Incorporation process**

Q: **How long does the Delaware Formation / Incorporation for non-us-resident or foreign national individual process take?**
A: Your first step should be to submit our secured online application form. As soon as we will receive your form the process will be as follows:
1. Incorporate your Corporation or Form your LLC – 24 Hours
2. Apply for EIN – 24 Hours
3. Receive from the IRS your EIN Confirmation letter – 24 hours
4. Forward you Formation / Incorporation Documents (LLC Agreement / Bylaws, Stock / member Certificate, Stock / Membership Register Log – 24 Hours.

Q: **When you complete the Delaware Formation / Incorporation process can I apply for a US Business Bank Account?**
A: Yes! Upon completion of the process, we will now apply for a Non-US-Resident Business bank account for your LLC or Corporation. We will provide the bank with your incorporation / formation documents – Delaware Article of Incorporation or Article of Formation, EIN Confirmation letter from the IRS and LLC Operating Agreement or Bylaws.

Q: **How long does it take to open the bank account for a non-us-resident, non-us-citizen, European resident, non-resident?**
A: It will take about 2-3 business days to receive an initial approval from the bank to proceed with your new bank account application (based on the formation / incorporation documents we have provided the bank). Then bank will forward to you a new bank account package. You should fill out the information requested and send the package back to the bank. It will take the bank few business days to setup the account.

**Why should I setup my US Business in Delaware? Why Should I incorporate or form my non-us-resident LLC in the US?**

Delaware State is established around the world as the best and most business-friendly environment to incorporate your Non-US-Corporation or form your US LLC. Delaware is recognized as the Incorporation Capital of the World! Due to many advantages the State offers both to US-Residents and Non-US-Residents.

Q: **Does Delaware State protect my Corporation or LLC legally?**
A: Delaware State offers the most advances legal protection for your US Corporation or US LLC. The US Chamber of Commerce has ranked Delaware as having the best legal climate in the nation for seven consecutive years. (2008 U.S. Chamber of Commerce State Liability Systems Ranking Study, conducted by Harris Interactive, for the U.S. Chamber Institute for Legal Reform)

An established body of laws protect the corporations of Delaware, helping business owners focus on their companies rather than on court proceedings. The Delaware Court of Chancery is the oldest business court in the country and uses judges instead of juries.

Q: Are there tax benefits or tax advantages in Delaware?
A: Delaware has the most welcoming tax policy for us and non-us resident and international individuals. There is NO State income tax for Delaware Corporation or Delaware LLC if you operate outside Delaware State. Here are the most common tax advantages Delaware offers:
- No state income tax for Delaware corporations that operate out of state
- No business license required for Delaware corporations not operating in Delaware
- No inheritance tax on stock held by non-residents of Delaware
- No state sales tax on intangible personal property
- Shares of stock owned by non-resident aliens are not subject to Delaware taxes

Q: What other advantages there are in Delaware compare to other states? Especially, to a non-us-resident?
A: Delaware State offers unmatched flexibility to non-us entrepreneurs and individuals to incorporate their US business, form their US LLC or Register their US Company.
- Anyone, anywhere in the world can incorporate in Delaware, without ever visiting the state
- One person can hold all positions and be the sole owner of the corporation or LLC
- You do not need a physical address within Delaware because we provide it for you
- Directors may fix any price on shares of stock they wish to sell
- The cost to form a corporation or LLC in Delaware is one of the lowest in the nation or anywhere in the world

Q: Can you incorporate my Delaware Corporation or Form my LLC anonymously?
A: Delaware State offers Genuine Anonymity both to us and non-us residents:
- By allowing you to file anonymously, Delaware laws shield the identities and personal information of business owners
- The State of Delaware does not require the names and addresses of LLC members and managers to be made public
Legal proceedings or law enforcement actions are the only two circumstances under which this information must be revealed.

**Delaware and US Business Bank Account for non-us, foreign individuals and other international entrepreneurs**

Q: I have an LLC or Corporation; Can I have a US Business Bank Account?
A: Yes! You may apply for a US Business Bank Account for your LLC or Corporation.

Q: I am a Sole Member (the only owner) of a Delaware LLC and I am a Non-US-Resident. Can I open a US Business Bank Account?
A: Yes! A Non-US-Resident, owner of a Delaware LLC, may open a US Bank Account (with our help).

Q: What are the requirements to open the bank account?
A: First, we will need the following documents in order to submit the initial application to open your bank account and get an initial approval from the bank:
- Articles of Incorporation / organization
- EIN Confirmation Letter from the IRS
- LLC Operating Agreement or Bylaws

After we will receive from the bank the initial approval, the bank will mail you a complete new account package. You will need to fill it and mail back to the bank.

Q: How long does it take to open the account?
A: If we have incorporated or formed your Delaware Entity, It will take about 2-3 business days to receive an initial approval from the bank to proceed with your new bank account application. We will provide the bank the formation / incorporation documents we have processed for you. Then bank will forward to you a new bank account package. You should fill out the information requested and send the package back to the bank. It will take the bank few business days to setup the account.

Q: Can I Use my bank account for Paypal, Google and other online websites?
A: Yes! Your US Bank Account is able to be linked to all US online service providers. You transfer money from your paypal account to your US bank account, you may link your google adsense to you us bank account and you will be able to pay google adwords and other advertising website with your us debit card.

Q: Will I be able to control my US Bank Account from my country since I am not a US resident?
A: Yes! The banks we work with offer a complete online / internet account management tools. You will be able to manage our US Business Bank Account from your home / office.