



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

Office of Counsel

August 23, 2001

Susan Scheinfeld
19 West 34th Street
3rd Floor
New York NY 10001-3006

Dear Ms. Scheinfeld:

This is in reply to your letter of August 18, 2001 requesting the consent of the Commissioner of Education for the filing of a certificate of assumed name on behalf of Computer Education Techniques, Inc. Computer Education Techniques, Inc., is a Delaware corporation which filed an application for authority to do business in the State of New York on June 22, 1982.

It appears that the certificate of assumed name to conduct business under the name SYS-ED was filed with the New York State Department of State on July 15, 1982. The consent of the Commissioner of Education can only be given as pre-condition to the filing of the certificate with the Department of State (see Education Law §216; Business Corporation Law §104[e]). It would be inappropriate to issue the Commissioner's consent with respect to a certificate that has already been filed with the Department of State.

While the issuance of the Commissioner's consent to the filing of the certificate of assumed name is a moot matter, we have examined such document and find that had we had the opportunity to consent we would have had no objection.

Furthermore, it is the opinion of this office that the corporate purposes, as stated in the application for authority, are broad enough to permit Computer Education Techniques, Inc., to offer educational courses and to apply for a license to operate a non-degree granting proprietary school pursuant to Education Law Article 101 under the name SYS-ED.

Your check #6830 in the amount of \$20. is herewith returned. If you have any questions regarding this matter, please contact me at (518) 474-1527.

Sincerely,

Richard L. Nabozny
Senior Attorney

RLN:blm

cc: Monica Borden
Mary Gammon