



## **Useful Tips Selecting a Name for Your Company**

Now that you have made the decision to join the field of professional organizing, you might find yourself in the position of deciding upon a name for your company. Here are a few helpful tips that may assist you during this process:

- In selecting a business name, consider that your choice has legal implications. Trademark law is designed to prevent confusion in the marketplace and protects against use of confusingly similar marks by newcomers when compared to established businesses. Selecting a business name without evaluating whether there is already a confusingly similar mark in use can be a costly mistake.
- When choosing a name for your company, you should consider checking the extent to which a similar mark may be in use and whether confusion may be likely as between your contemplated name and the established mark.
- There are a variety of searches that can be undertaken to determine the availability of a contemplated name.
  - The simplest place to start is with simple Internet searches. Does anything come up? If so, is it in any way related to professional organizing? What proximity is the location to you? Is there an overlap in potential customers? All of these will have an impact on the extent to which your use of a name will be subject to challenge.
  - With these same questions in mind, you can check the United States Patent and Trademark records online at [www.uspto.gov](http://www.uspto.gov) to see whether or not someone has applied for or obtained a federal registration of the words to a company name.
  - Many state governments maintain online databases of state trademark registrations, which can also be a place to look for existing registrations.
- The above suggestions are intended only as a starting point and will not pick up on subtle variations between your proposed name and an existing trademark which may not be sufficient to prevent confusion. Many new businesses opt for more comprehensive searches from commercial providers. These cover a wide variety of records and media and pick up on many related variations of the proposed name. Keep in mind that close calls as to confusion will be resolved in favor of the prior user. If you have any questions or concerns regarding the selection of a name for your company, it is recommended that you discuss them with your corporate attorney or advisor.

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