



STEPS TO CREATING A UNIQUE BUSINESS NAME AND LOGO

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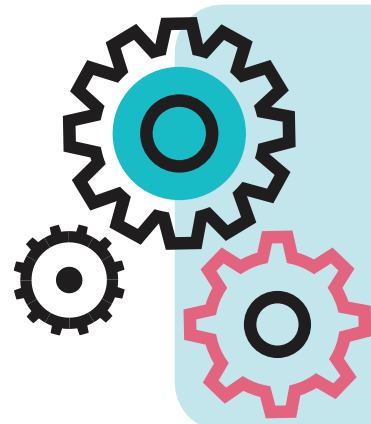
What is the one thing that distinguishes your business from all the others? What places your products or services correctly in the marketplace? Your name. And naming is difficult. A bad name may not derail your business, but it could make growing difficult. Even worse than a bad name is a name that may infringe on another brand, which could lead to legal troubles or lead to a costly re-brand later on. A good name that stands out and is unique can inspire and become a driving force behind your business. If you think about it, we take nine months to name our children but somehow want to name a business in 10 minutes. Let's dive into how to work through the process of creating a unique name.

1. DEVELOP YOUR BRAND STRATEGY

Your brand is the story that will determine your identity. In this step, it may be essential to seek professional help. Experts in the field of branding and brand strategy can assist you in determining your brand's voice. Before creating a name or logo, you need to know who you are as a brand. Professional brand strategists can help you answer the hard questions to determine just that. Here's what you need to know:

- Your mission (what is your "why?")
- Your values (what beliefs drive your company?)
- Your brand personality (if your brand were a person, what personality would they have?)
- Your unique position (how are you different from your competitors?)
- Your brand voice (if your brand were a person, what would they sound like?)

Think about what the name stands for, who its audience is, and what its competitors look like. Defining key foundational characteristics of the brand and objectives for the name helps to provide a firm grounding and understanding to create a meaningful, authentic brand name.



2. BRAINSTORM A BIG, BIG, BIG LIST



Brainstorming is the fun part! You've heard that there are no bad ideas. Well, in this step, there aren't. The most off-the-wall and crazy ideas should be accepted and not judged. You never know what idea could spark in someone else. It's all about throwing stuff out there and seeing what sticks. Invite everyone (including key stakeholders) to add their ideas to the list. Look at your brand from every angle, each benefit, audience, etc. Use resources like [thesaurus.com](https://www.thesaurus.com) to find unique ways to express your qualities. Look for new ways to say the same idea. You might even find multiple words that can be combined differently. Try inventing new words and phrases that describe your brand. Think of words that take some creative processing to reach the conclusion of what product it is that you sell or the service you provide. Make your list as large as possible!

3. CREATE A SHORT LIST

From here, you will begin working on the best of the bunch. You want to narrow this list to the top 10-20 best ideas. Choose those names that spark an emotional reaction in the brand. Look at each idea on a shortlist and ask the following questions:

- Will it last through market changes?
- Does it allow for brand extensions?
- Will it allow for geographic expansion?
- Does it hold fast through trends and fads?

You want to ensure that the name you choose to represent your brand will withstand the test of time. Choosing your name is much like choosing the clothes you wear. Try them on. Imagine them in different situations, and most importantly, see how they make you feel.



4. CREATE A SHORTER LIST

Now that you have a short list, it's time to make it even shorter. Sounds crazy, right? But your business name has one thing to do: it needs to get the right people to think the right things about your company. When that happens, you have a winner. Get feedback from everyone—regular people outside the organization, friends, potential customers, etc. Ask them what pops into their heads when they read the possible names. With enough help, you should begin to see a pattern emerge and slowly see a clear winner. Don't just settle on the name that everyone agrees on. Find the name that stands out and is distinctive.



5. UTILIZE USPTO AND TESS

Before making any final and permanent decisions on your name, familiarize yourself with the USPTO (United States Patent and Trademark Office) and TESS (Trademark Electronic Search System). This step can help you avoid a worst-case scenario. Check these sites often during this process to ensure your names are not already registered and used by someone else. During this step, let us suggest contacting a trademark attorney. They can do a complete and comprehensive search of all federal trademarks in your category, and check local or state registries, social media sites, domains, and websites for existing same or similar names. No one wants to spend valuable time choosing a name, building a website, and creating a logo, only to get a cease-and-desist letter later because someone else in your category has a similar name.



FOUR STRENGTHS AND TYPES OF TRADEMARKS

1. STRONGEST TRADEMARK: Fanciful and Arbitrary

The strongest trademarks are fanciful and arbitrary marks. Fanciful trademarks consist of words that have been invented for the sole purpose of functioning as a trademark. Examples of such marks are PEPSI and KODAK. Marks that consist of words commonly used but unrelated to the marks' goods or services (they don't describe a quality about them) are referred to as arbitrary marks. APPLE would be an example of an arbitrary mark.

2. STRONG TRADEMARK: Suggestive Marks

Suggestive marks are words or phrases that suggest the nature of their goods or services. They often require consumers to use their imaginations to connect the two. For example, the car company Jaguar. The use of the jaguar suggests that the car itself is very fast,

3. WEAK TRADEMARK: Descriptive Marks

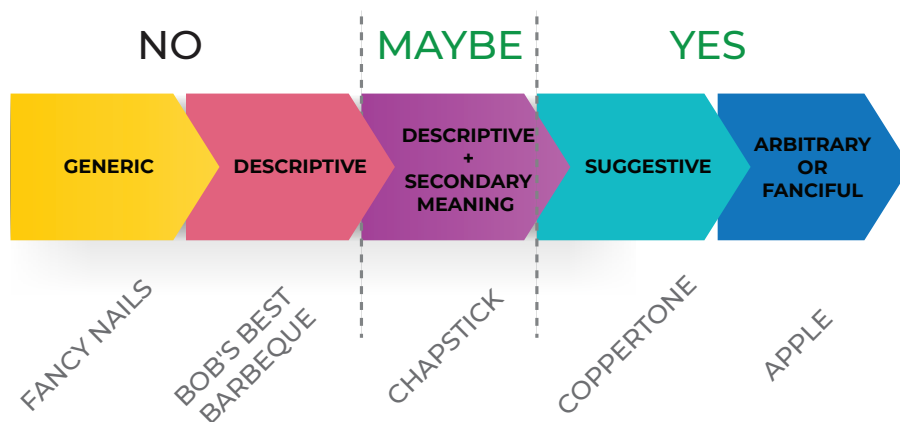
Suggestive marks and descriptive marks are often confused with one another. Descriptive trademarks are typically weaker. They use words and phrases that describe a characteristic, quality, feature, or purpose of a good or service. American Airlines is an example of a descriptive trademark. It says that the airlines' purpose is to provide flight service in America.

4. WEAKEST/UNPROTECTABLE TRADEMARKS: Generic Marks

A generic mark uses ordinary words to describe goods and services. These trademarks are prohibited by trademark law from being registered. Aspirin is an example of a generic trademark.

SELECTING YOUR MARK

Is it Protectable?



When creating a unique brand name, it is crucial to go as deep as you can. Sketching out some visuals with your name can help it feel more realistic. It may sound funny to hear, but trust your gut. Those moments can tell you a lot about how a name will be received and the emotional response it will generate. People tend to like a brand name for two reasons – one is that the name makes you feel something, and the second is that the name makes you think the brand is successful or powerful. After all, brand success is about creating a connection with the consumer, be that an emotional connection or connection by recognition. You want a name that you and your customers will live with for a very long time. That takes courage.

HOW DO I CREATE MY UNIQUE LOGO?

It would be simple to grab a generic logo and slap it on something with your brand name, right? Sure, it sounds easy enough, but would it create the response you hoped for? You want your logo to elicit the same reaction as your brand name. You want your logo to have a powerful impact on how your customers perceive your brand. Here are six steps to creating your brand's unique logo.

1. CHOOSE THE RIGHT INSPIRATION FOR YOUR COMPANY LOGO

Your inspiration can come literally from anywhere – nature, experiences, designs, and even other logos. Your best inspiration will come from what your company does and values.

To make your logo unique, you must know what makes your company unique.



2. UNDERSTAND YOUR AUDIENCE

While striving for a unique, out-of-the-box logo, your clients and customers still want your logo to convey professionalism and knowledge.

Understanding your audience's habits, your customers' ages and personalities, and expressing your brand identity are important in designing your logo.



3. BE OPEN TO ALL IDEAS

Just like determining your brand name, you may know what you want but need to keep an open mind. You will go through multiple variations of your design until you find your perfect match. Ask friends and family for feedback on the emotion the logo expresses, or what they see in your logo. Does your logo require an explanation? Does your logo express your brand image? Variations over time are okay, and so is sticking with an original idea.



4. KNOW WHERE YOUR LOGO WILL GO

Will your logo be printed on paper? Business Cards? Billboards? Products? There are a lot of mediums and sizes that may be required of your logo for it to perform well across all areas. Knowing where and how you will use your logo will help you to determine colors, fonts, and formats. Considering how your logo will look on different materials and in different formats is important. Something that looks good on a website might not look so good on a t-shirt, for example. Your logo can and should differentiate you from you competition.

5. TRUST YOUR DESIGNER

Trust who you are working with on your logo. Once you've gone through the branding process and explained your company and concept ideas, let them work their magic. In return, you will receive a recognizable, representative and memorable logo that expresses (represents) your brand.



6. UTILIZE USPTO AND TESS

Just like creating your unique brand name, the USPTO (United States Patent and Trademark Office) and TESS (Trademark Electronic Search System) can help you avoid a worst-case scenario. An experienced trademark and copyright attorney can provide assistance in conducting a clearance search of your logo to ensure that your design does not infringe on an existing design. Make sure that you have options or variations in mind, and be open to change.



You can apply for a design mark registration of your logo with the USPTO. This is an important step in brand protection and an important asset of your business. An experienced trademark attorney can help search TESS design codes to clear your logo and advise if there are any similar logos registered. You can submit your logo design for trademark. Experts will assess your logo. They will let you know if there is anything similar in your category, if there is something that violates trademark guidelines, etc. Make sure that you have several options and are open to change. An attorney specializing in copyright and trademark will be an asset during this process. They can scour these sites to ensure you do not run into problems. And if you do hit a roadblock, they are there to help you navigate the process.

Everything you do, say, and display as part of your business will tell your customers all they need to know about your company's identity. It is vital, from the beginning, to ensure that you present a cohesive statement regarding your message and brand. With help from branding strategists and professional logo designers, you too can leave a lasting impression on the world.



SecureMark Legal is a dynamic, women-owned law firm that seeks to take the mystery out of brand protection and take that aspect of protecting business brands “off your plate” so you can focus on what you do best - running your business. We strive to break everything down for you in easily-understandable ways and to become a partner in your success. We are based out of South Florida, but since trademark and copyright registrations are primarily Federal in nature, we can serve clients across the United States regardless of where your business is based.
