**NAMING STARTUP CHECKLIST**

**LITERAL V. EVOCATIVE:** Tvguide.com v. Yahoo.com**.** \* Evocative names make it harder to break into the market but defend your brand better.

**PLACES TO CHECK AVAILABILITY:** Delaware Secretary of State**,** Nebraska Secretary of State**,** AppStores**,** Domain Name Registrar**,** Twitter Handle

**CELLPHONE TEST:** Must be able to clearly communicate name over a broken cell phone call.

**WHITEBOARD:** Throw all names on a whiteboard and see which ones stick. Sleep on it.

**COMPOUND WORDING:** Pin your interest. Pinterest.

**FAKE IT TILL YOU MAKE IT:** You can always change the name or buy the domain at a later date.

**DON’T STEP ON OTHER PEOPLE’S TOES:** Research to see who else is using the name and if they are in the same vertical markets as you are.

**CHANGE SPELLING:** Xero, Flickr

**KEEP IT SHORT:** Uber v. Uber Taxi

**MAKE IT A VERB:** Google it.

**USE YOUR GUT:** Names should be designed to last longer than there founders. If it doesn’t sound right or is too fashionable, go back to the drawing board.

**TRADEMARK INFRINGEMENT POSSIBLE ELEMENTS:** Strength of the plaintiff's trademark**.** Degree of similarity between the two marks at issue**.** Similarity of the goods and services at issue**.** Evidence of actual confusion**.** Purchaser sophistication**.** Quality of the defendant's goods or services**.** Whether the defendant's attempt to register the trademark was bona fide (in good faith).

**ORGANIC:** Keep it organic. Build strong roots. Focus on the impact you can make, not the name.

Oppenheimer Rule: People have a greater affection for words and names that are easier to pronounce.

**High Profile Buyer**

**Not Startupy**