

Title:

Business Name - How To Pick One From A Legal Perspective

Word Count:

410

Summary:

A business name can be a huge factor in the ultimate success or failure of the entity. Unfortunately, many people fail to give a lot of thought to it prior to moving forward. There are many factors to consider including something memorable, a name related to your area of work and, potentially, the availability of the domain name.

Keywords:

business name

Article Body:

A business name can be a huge factor in the ultimate success or failure of the entity. Unfortunately, many people fail to give a lot of thought to it prior to moving forward. There are many factors to consider including something memorable, a name related to your area of work and, potentially, the availability of the domain name.

Married?

Picking a business name is like getting married. You are going to have to stick with it till the bitter end. It is estimated a prospect will need to see your advertisement and business name at least 22 times prior to doing business with you. Once they associate your business with a certain name, making a change will be disastrous. Once you pick something, stick with it.

Naming Your Business

If you are going to be married to your business name, you need to make sure the bride isn't already married to another suitor. There are four significant issues to consider.

Initially, you must determine whether the name is already being used in your state. The Secretary of State controls the names of all corporations, LLCs and partnerships. Most also have a web site where you can conduct name searches. Even if you are a sole proprietor, you should check the name against those

already registered in the state database. If the name is being used, you will need to consider an alternative.

Assuming the name passed must with the Secretary of State, you should check it against existing trademarks file with the Patent and Trademark Office. The "PTO" maintains an online database. As with the Secretary of State, you can conduct an online search to make sure no other business is using it.

In this day and age, many businesses incorporate a web site as part of their business model. If you are in this boat, you need to check to see if the business name is available as a domain. If it is, you should register it immediately. If not, you can either change your business name again or focus on a domain name incorporating your service or product instead of the business name.

Avoiding Problems

Your business could be devastated if you do not take these precautionary steps. Imagine the negative impact on your business if the name has to be changed three years down the line. Take a breath before you select a business name. Like a spouse, it can be either a good or bad choice.