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How to Register a Trademark for a Company Name

Registering a trademark for a company name is pretty straightforward. Many businesses can file an application online in less than 90 minutes, without a lawyer's help. The simplest way to register is on the U.S. Patent and Trademark Office's Web site, [1] www.uspto.gov.

Before completing the online registration form, check the site's [2] [Trademark Electronic Search System \("TESS"\) database](#) to make sure another company hasn't already registered an identical or similar mark for the same categories of goods or services you offer. U.S. trademark protection is granted to the first entity to use a particular mark in the geographic area where it operates, regardless of whether the mark is registered. But if your chosen mark is already registered by another company — even if you used it first — your registration will be rejected and you'll probably want a lawyer to help you proceed.

Online trademark registration costs between \$275 and \$325 and requires information such as the categories of goods and services for which the mark will be used, date of the mark's first use in commerce and whether there's a design component to the mark you're seeking. Internet businesses registering their names should generally refrain from registering their Web extension, such as .com or .net, with their name, unless they're planning to register the mark both with and without. Getting a trademark without the domain extension will help prevent other businesses from registering the same name by just adding a different extension. Don't designate a specific design of your trademark in order to get the broadest protection.

You should receive a response to your application within six months of filing, according to the [1] [U.S. Patent and Trademark Office Web site](#). There are some scenarios where registering through an intellectual-property attorney — or at least seeking legal advice beforehand — makes sense. If your desired mark is similar to another registered mark, or similar enough to confuse people, there's a decent chance your registration will be contested.

What's more, it's difficult to register names deemed too generic or descriptive (think "The Ice Cream Shop" or "We Sell Plants"). A trademark lawyer perhaps can help you find a way to get at least some protection.

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[1] www.uspto.gov: <http://www.uspto.gov>

[2] Trademark Electronic Search System ("TESS") database: <http://www.uspto.gov/ebc/tess/index.html>