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# **Ready to start a business? Local trademark attorney shares tips for entrepreneurs.**

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Are you contemplating starting a new business? If so, have you done any research regarding the selection of a name for your new venture? Have you pondered the importance of protecting your brand from the get-go for your new enterprise?

Here are some tips and tools to consider when embarking on a new business venture.

If you are ready to kickstart a new company, an Internet search can be performed at the forefront for due diligence purposes and the results can help guide you through the process of picking a name for your business. There are also key factors, from a trademark standpoint that are pertinent for emerging companies to consider.

Ancillary to committing to a business name, domain name and forming a business, it is helpful to perform a preliminary knockout search on Google, Sunbiz.org, and the United States Patent and Trademark Office website of your proposed business and domain name(s).

The purpose of this search is to check, albeit from a cursory perspective, that identical or similar names are not already in use in commerce by others in connection with the same or similar goods and/or services that your business will provide.

Moreover, this initial step:

- Gives you a better idea of what is already out there in the marketplace ahead of starting your business
- Helps you increase your likelihood of choosing non-infringing business and domain names
- Helps pave the way to brand formation and protection for your company

Business names, logos and slogans all fall under the trademark realm of intellectual property. Trademarks exist in common law and can be registered at state and federal levels. Common law trademark rights are created by use of your business name, logo and/or slogan in a specific location. State trademark registration protects your business name, logo and/or slogan within the boundaries of the said state of registration, whereas, federal trademark registration affords protection throughout the United States.



Cameron Parks, senior associate with Shutts & Bowen LLP, shares tips for entrepreneurs.

In developing a brand for your business, it is important to keep in mind that trademark registration, specifically at the federal level, provides, among other benefits, broad protection, a deterrent for potential infringers and overall brand strength.

In addition to registering your domain name on a domain registrar, applying for federal trademark registration of your domain name can be another practical and vital task on your “company creation check-list,” so long as the domain name is used to demonstrate that your goods and/or services originate from your specific business.

Thus, businesses should consider the importance of trademark registration (particularly at the federal level, if applicable) for not only their business moniker, but also any logos, slogans, and in some cases, their domain name, used in conjunction with the aforementioned business.

Although beneficial, trademark registration, specifically at the federal level, is a complex process consisting of multiple steps, as well as time-sensitive maintenance requirements post-registration.

Entrepreneurs also may want to consider consulting with a trademark attorney to:

- Request a comprehensive trademark search
- Provide a formal opinion based on the search results
- Assess your particular trademark registration options
- Help to navigate you through the trademark registration process

*Cameron A. Parks is a senior associate in the Orlando office of Shutts & Bowen LLP, where she is a member of the business litigation and intellectual property practice groups. She may be reached at (407) 835-6934 or CParks@shutts.com.*