



Research Wizard Business Intelligence Brief

"Finding Good Information and Making it Better"

Securing Your Company's Image



Trademarks offer recognition, distinction, and reputation - qualities you wish for your own company, its products and services!

One of the most exciting and challenging events in business is to create a new name for your company or to christen a new product or service. It takes more than a good name to make a company successful, but a strong trademark or trade name can certainly give you an edge. The catchiness of the word GOOGLE and its colorful logo design helped establish google.com™ as the world's most popular search engine. The marketplace is full of many such examples.



NIKE

Trademarks are Big Business

- ◆ Over **3.5 million trademarks** have been registered in the United States. Last year over 200,000 new applications were filed with the U.S. Patent & Trademark Office.
- ◆ Oklahoma is among the **TOP 20** states for number of trademark registrations. The state has more than 16,000 registered trademarks.

Making Sense of the Terminology

Trademarks, trade names, company names, domain names! What do they mean?

- **Trademark:** The name of a product or a service
- **Trade Name:** The name of a company
- **Domain Name:** The name of a website

What To Do When

Trademark: Do a FULL TRADEMARK SCREENING to cover federal, all the states, and common law usage. Include all states if you expect to advertise your company on the Internet or otherwise do business nationally. Include unregistered use in the marketplace (common law) since such usage proven can take priority over registered marks!

Trade Name or Company Name: Search the Oklahoma Secretary of State website and the Tulsa County Land Records database. If you may use your company name on products or services, do a FULL TRADEMARK SCREENING.

Domain Name: Look for your URL in the Whois database. Do a FULL TRADEMARK SCREENING. Generally trademark owners take priority over domain name owners.

Steps to a Successful Trademark

Read & Study: For federal marks, go to the USPTO website. Click on "Trademarks." Here you will find explanations and guidance in layman level language. Highly recommended: the USPTO publication: **Basic Facts About Trademarks.**

Be Distinctive: Choose fanciful or non-descriptive trademarks. Examples include Exxon® and Apple Computers®. Consider if your choice could be confused by consumers with another or a well-known brand. For example, it is unlikely that you would be able to trademark a beverage called "Cherry-Up" since it may be confused with 7up®.

Register: Registration forms with directions are available at the USPTO web site. You can even file your trademark electronically! You will find directions and filing assistance for state marks in Oklahoma at the Secretary of State website.

Research Wizard Trademark Screenings

Research Wizard offers FULL TRADEMARK SCREENINGS. Our resources include the reliable and authoritative Trademarkscan system for federal and state trademarks. In fact, the federal Trademarkscan database will often find marks that the USPTO TESS service overlooks! Our common law search covers the content of more than 1,000 proprietary business and technical databases including Dun & Bradstreet business directories as well as usage on the Internet.

The Madrid Protocol. Last year the United States joined the Madrid Protocol. Briefly stated, U. S. and foreign companies may file trademarks as international marks under the protocol and receive automatic protection in the United States. A Research Wizard screening covers these trademarks.

Where to Start Your Search

SOURCE	FEATURE	LOCATION
USPTO website—TESS	Search TESS for federal trademark registrations and filings.	www.uspto.gov
OK Secretary of State website	Search for Oklahoma trademark registrations and filings. Search for company names registered with the state.	www.sos.ok.gov
Tulsa County Land Records database	Search the fictitious names section for company names taken.	Tulsa City-County Library
Whois Source website	Search for a domain name.	www.whois.sc

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to Meet
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