

A simple guide to naming your brand

Getting started

- 1 Be clear what you're naming. Is it a product or service? Is it your organisation? This guide focuses on your organisation, but most of this will apply to products and services, too.
- 2 If you're thinking about renaming your brand, be absolutely clear why you are doing it. Renaming an established business can be costly, and have an impact on your reputation.
- 3 Whatever the reason for choosing or changing your name, you can be sure that your name is going to be your most valuable brand asset. It is your unique identifier: what people can use to communicate with you – and about you.

01

Be clear



What a brand name has to do

The name is the short-cut to your brand idea. It can take many forms, some are literal, some poetic, some abstract. It must mark out firm territory and clearly distinguish you from your competition.

Founders' names
Brands may be named after their founders, and benefit from recognising their status and legacy. However, should misfortune come their way, it may rub off onto the brand.

Descriptive names
These are helpful because they set out what you do. But, if they are purely descriptive – using simple language for the product or service – you cannot register them as trade marks as you cannot 'own' common words or phrases. As more names are used and registered as trade marks or domain names it's getting harder to find ones that are available and still very 'clean'.

Fabricated names
These can be among the strongest names for brands because of their individuality and conceptual tone. They're often easier to protect. They are, however, expensive to promote and explain.

Metaphorical names
Brand names based on a metaphor can help tell your story, but can also lead to confusion or misunderstanding, risk cliché, and be difficult to search for online. They can also be difficult to trade mark if they use common words.

Acronyms, abbreviations and initials
This is a popular choice for businesses merging, or trying to retain their heritage, or with a name that is long (like most professional bodies). But three-letter acronyms are everywhere and can be a sign of clumsy branding. Three- and four-letter names may be difficult to register as domains and are tricky to remember for some people.

Numeric names
These are less common, which may be part of their appeal. Combining words and numbers can help with the brand story. But numbers on their own, especially more than three or four, may be less meaningful – and so less memorable – for most people.

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Before you even think of a name

You'll need to get past some of these hurdles:

Trade marks
Trade marks will have to work not just in your base country, but in all the countries you aim to trade in. You'll also have to consider under which 'categories' you'll want to register your name. Trade mark registers are broken down into classes and you can register in any number of relevant classes. The more classes your register in, the greater your protection, but the higher the cost. It may also reduce the names available for you to register.

Domain names, or URLs
These have turned out to be less important than previously thought, but many consider an older URL a sign of more established, credible business.

Social media names
Perhaps with even less availability than websites.

Company names
Obtaining a company name provides no automatic right to protection of that as your brand name.

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Shh!

Even if you are just starting up with a small concern, it's always a good idea to keep your ideas to yourself. Names are assets even before they are known. People can claim them without even using them, causing you to either cough up for the right to use them, or run the risk they might make a claim on you. The objective of the exercise is to obtain the best ownable name you can have.

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Be quiet



Reasons to change

Are you merging or splitting up your business? Have you had some reputation issues you want to leave in the past? Are you thinking about an exit and don't want to have your name associated with the business in the future? Are you diversifying, re-focusing, or changing direction, making your name less relevant? Changing your name is a clear signal to your employees, customers and prospects that you are changing as a business.

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Reasons not to change

If you're not changing your business, its purpose, practise or main offer, then a new name might just be wallpaper, covering up old cracks and offering a false promise. There is a temptation to think that to change a name is as simple as coming up with a new moniker and trendy logo. But, as following this guide shows, there's much, much more to a name change than this. It needs to be carefully thought through and only undertaken if the reasons for doing it far outweigh the reasons not to. Another reason not to change is that it can be expensive.

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Budget and timings

Since the objective is to obtain the best ownable name you can have, you should first discover how much you need to set aside for this, and how much time it will take. The only way to do this is to talk to experts: naming agencies, trade mark experts or lawyers with intellectual property experience.

Remember, however, there are no guarantees that trade marks will be obtained. Be clear about what you do own and the degree of protection that provides you.

Some searches you can carry out online yourself, such the trade mark database, or at Companies House, or using domain registers. However, you should consider these as preliminary searches, and only aim to cover the UK. More comprehensive searches will cover one country and one class and can take from days to months, depending on which territory you are interested in. Registration in the UK will take around six months, but in the Americas or China can take two or more years. Costs also vary enormously.

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What's the brand idea?

Remember, a brand is a shared idea. It is the one thing that connects you with your employees, customers, prospects and everyone with an interest in the success of your business. Successful brands have a clear shared idea that is distinct and different. The idea is relatable, believable and achievable. Unsuccessful brands do not have a shared idea, because they are inconsistent, unconnected or implausible. The brand idea is a simple story that says why you are doing what you are doing and how you want to do it.

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Be one idea



Your naming partner

You can name your brand and register it without professional help. But it's not recommended. The support you'll need is twofold. Creative and legal. You may prefer to do the creative yourself or with your design agency and get external legal support. If asking your design agency, be sure you understand their process and check their credentials. A specialist, combining both creative and legal, is your best bet. A recommended specialist is even better.

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Let the naming fun begin

Let's really get started

Be clear about your objective. If your objective is to obtain the best ownable name you can have, at the very least you're advised to secure the services of a partner to help with searches beyond the preliminary searches outlined in 7 above. If you are developing your name with your brand strategist, designer, or are working directly with a naming agency, they should be able to help here. Not carrying out searches may prevent you obtaining the best ownable name you can have. Be clear about costs and timings. Your partner will help.

Overleaf you will find a blank project plan for a naming process.

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Names can come from anywhere

Don't be precious where ideas come from. Store up all the ideas people have. Use workshops, or competitions, or anything. However, if your project is super-secret work with a small internal team and trust your agency to come up with the fresh perspectives.

Two rules

- 1 Don't fall in love with a name too soon. Keep an open mind. You may not love the right name straight away.
- 2 Follow the agency's methodology. It's there to get to the right answer.

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The methodology

Agree your criteria for decision-making. This is likely to reflect market acceptability tests, but also consider legal elements – is it legal? – and the brand model such as the purpose and personality. Then get going with creative start-points. Most agencies adopt this approach. They will explore ideas that are connected to the brand. They are likely to explore not just the ones already thought of – everyone likes thinking of names – but perhaps many more. Up to 1,000 or even more names may be generated using this process. Use the criteria to create an initial long-list of about 10 to 30 names.

Get past 'the wobble'. You'll want to take time to reflect on the names. Sleep on it. Settle into them.

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What makes a good name?

Market acceptability makes a good name. A key factor in deciding a name should be the results of a proper linguistic screening process. The following should be considered in all the territories you wish to trade or operate: Is the name pronounceable locally? Is it pronounced the same way? Can people spell it? Does the name have a different meaning locally? Are there different understandings of the meaning locally? Ideally, linguists should be employed who have the local language as their first language. Another element will come into play when you start to design the visual identity. Consider the visual aesthetic of the word. Do you use upper and lower case, or just one case? How does it look? How does it sound?

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Grade your name list

This is a process to short-list names and assess whether or not you need to test the names or register them. Either way, you'll be exposing your ideas to the outside world. Testing and registering your shortlist in one go can save time, but rack up costs. Start looking to buy domains and registering names in social media. Consider the strategies you'll need to get the names you want. What is acceptable, and what might not be? How pure should the domain be to the name being chosen? Are some country domains inconvenient?

A sample grade card is provided overleaf. Give each name a score out of 5 for each of the criteria. 1 is a poor prospect, 5 is a real contender.

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Be thorough



Repeat repeat repeat

Go through this process until you reach the point where you have just two or three names. Start thinking about more specific elements of the brand name's use. The visual identity. How you will answer the phone? Brand extensions. Get to the point where you are comfortable with the right name and feel best able to protect it in the territories you want to operate in.

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Stop phishing

As soon as you start registering your name you are dropping the secrecy. People watch company, trade mark and domain registrations, which are open for public interest inspection, because of commercial sensitivities. Monitoring names and brands is entirely the responsibility of the owner, so there's a lot of surveillance, in addition to records being officially advertised (in the case of trade marks).

For domain names you should consider registering misspelled variants of your URLs and name, to prevent phishing and online scams. Having your name registered as a trade mark can be crucial in fighting battles to resolve domain name disputes.

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Hold your nerve

Providing searches prove you are free to proceed, go ahead and register your name. You can do this yourself through the Intellectual Property Office in the UK, but you are best advised to use a specialist. Brand Guardians offers a UK and worldwide service for protecting names. Fees for registration are fixed. There is no discount for bulk registrations. Paperwork can take about six months in the UK, but can take two or more years overseas.

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Be your name



Credit where it's due

This was written by Peter Mills and designed by Lisa Cromer at Brand Ethos.

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We're all based in London.

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Helpful instructions overleaf
Further relevant information overleaf

Defining a single compelling idea


Brand Guardians is an agency specialising in strategic naming and intellectual property for clients and creative agencies



www.brandguardians.com

Clear thinking for spirited organisations

Brand Ethos is a brand strategy consultancy for organisations looking to make positive change in the world



dba Association Member
www.brandethos.co.uk

Five things you need to know about trade marks

1 This is what HM Government says about a trade mark on www.gov.uk
A trade mark is a sign which can distinguish your goods and services from those of your competitors.

2 Trade marks are acceptable if they are: distinctive for the goods and services you provide.
In other words they can be recognised as signs that differentiate your goods or service as different from someone else's.

3 There are no 'trade mark police'. Anyone can try their luck at 'passing off' as your brand, which carries both financial and reputational risks for you. Your protection is down to you putting in place clear ownership of your brand and taking responsibility for 'policing' it yourself – if necessary taking legal action and even going to court to stop people using your brand.

4 There are lots of definitions for brand. This definition refers to your branding, namely, words, logos, or images, even sounds and smells that are connected with the products or services they are applied to, that are distinctive and legally owned by you. As such, you can license or assign use of the trade mark should you so wish, as well as take steps to prevent those without permission from using it, such as counterfeiters.

5 Sometimes trade marks are confused with brands. A brand is more than a logo. It is the sum of people's experiences and a collective understanding of a shared idea between the brand owner and others.

A plan for naming your brand

	01 Brand strategy agreed	02 Creative brief agreed	03 Countries agreed	04 Classes agreed
Insert start date				
Insert end date				
	08 Creative start points	07 Naming begins	06 Naming brief agreed	05 Domain requirements
	09 Long list of raw names	10a Top names extracted	10b Engineered and recombined names	11 Agreed names for checking and ranking
	15 Final test and into registration	14 Grade using grade card and select	13 Eliminate no-go names	12 Initial identical screening

Grade card suggested criteria

There may be other criteria. Grade out of 5.

Criteria	Name No. 1	Name No. 2	Name No. 3	Name No. 4	Name No. 5
Pronunciation	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Ease of spelling	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Tells a story	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Passes search engine tests	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Domain name available	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Social media names	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Distinctiveness in category	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Potential for brand extensions	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Cliché avoidance	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
International / language appeal	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Aural appeal	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●
Visual appeal	●●●●●	●●●●●	●●●●●	●●●●●	●●●●●

What's the difference between trade mark & copyright?

Trade marks

They are 'badges of trade' that distinguish competing products and they can (and ideally, should) be registered for the goods and/or services you provide. They can be names, graphic logos, colours, 3D forms, sounds, smells and gestures.

You can mark your trade mark with a TM whether or not it's registered. You can only use the ® if it is a registered trade mark.

Copyright

This is an automatic right covering artistic and literary works.

It covers:

- original literary, dramatic, musical and artistic work, including illustration and photography
- sound and music recordings
- film and television recordings
- broadcasts
- the layout of published editions of written, dramatic and musical works.

It prevents people from copying and distributing your work, renting or showing your work, performing, showing or playing your work in public, adapting your work or publishing it on the Internet.

You can mark your work with the copyright symbol ©, your name and the year of creation.

When two or more individuals or businesses work together it's vitally important to have contracts that set out who owns the intellectual property including the rights in the design. Since October 2014 the designer is the owner, not the commissioner unless there is a contract otherwise (see below).

Owning rights in a design from the intellectual property office guide

In any situation where two or more businesses or individuals work with each other it is vitally important that contracts are in place which establish who owns the intellectual property – including any design rights.

It is also important to note that a contract may contain terms that are written, oral or implied. Equally, an employment relationship may exist between a designer and the person for whom the design is created even where this is not documented in writing. Therefore, care and appropriate advice should be taken in relation to the contractual terms and the employment situation.

The [UK] guidance on the basic ownership rules applies to both UK registered and unregistered design rights.

What does it mean?

If you are an employer: you continue to own the rights to any design that your employees produce as part of their job and under the terms of their employment contract.

If you are a self employed or independent designer: you own the rights to your design, even if someone else commissions you to create it, unless a contract, which says otherwise, is in place.

If you commission someone else to create a design: you do not own the right in the design unless a contract says so.

This applies to all designs created on or after 1 October 2014, unless the design is created under a contract which existed prior to that date and which also specifies who owns the design. In that case, the contract (and its ownership provisions) will still apply.

Taken from [Business guidance on changes to the law on designs](#), Intellectual Property Office, June 2014