

BUSINESS IDENTITY THEFT IN THE U.S.

FACT
SHEET

TRADEMARKS

Trademarks are another measure you can take to protect your business identity.

Definition. A trademark is any word, slogan, symbol, design or combination of these that identifies the source of your goods and services and distinguishes what you do as compared with others - like a brand for goods and services. It is an essential component of your business identity. A trademark is a legal recognition by the U.S. government that your business has the exclusive right to do business using a specific name or logo.

Why should I trademark my business name?

Trademarking your business name is a means of protecting your business' reputation and your identity. If your business name is trademarked, no other entity can legally do business using the same name.

Trademarking ensures that you'll be able to continue using your current business name. If someone else trademarks the same name, you will lose the right to legally use that name for your business. Additionally, it protects your company name and trademark from being held hostage for a ransom.

How do I obtain a trademark for my business?

Businesses can obtain a trademark by applying through the U.S. Patent and Trademark Office. More information here: <https://www.uspto.gov/trademark>. Filing for a trademark registration with the US Patent and Trademark Office will cost between \$225 and \$400, depending on the options required for the trademark. Some businesses may opt to hire a trademark attorney. To decide whether you need to hire a trademark attorney, review the information provided by the

Patent and Trademark Office at <https://www.uspto.gov/trademark>.

Conducting a trademark search.

The first step in preparing an application to the U.S. Patent and Trademark Office is to complete a Trademark clearance - which means you need to search the following databases to see if your trademark is already in use. The following are the databases to search:

- TESS - US PTO database of already submitted federal trademarks
- State Registrar Offices
- Business Name Databases (online)
- Internet Search

A trademark attorney can also complete the search as well.

What are other ways to protect my business identity and reputation?

In addition to obtaining a trademark from the USPTO, you can also obtain a trademark from your state registrar's office, however, it only protects your name and logo in the state in which it is registered.

Consider completing other protections such as;

Patent - for an invention/intellectual property;
www.uspto.gov

Copyright - for a literary piece, advertisement, commercial or narrative you want to protect,
copyright.gov

Domain name/address - See www.internic.net

