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Trademark registration of business name

Your business or entity name is one of your most important assets. It's a symbol for reputation and that is how a company is known to the outside world.

Take a situation where your Business Name is different from the Product Name and you have not registered your business name with the Registrar of Trademarks. Your competitor might see this as an opportunity to registers that business name with the Registrar of Trademarks and start using your business name for same or similar goods or services. One would obviously not want to be in that situation. Think from the perspective of sales you might lose if another entity starts using your name. If someone else uses the name to sell inferior quality goods or services, it will also dilute your reputation.

If you're building a brand, investing in advertising and hoping that customers can find you, you must make sure that you have properly obtained trademark registration of your business name.

Registering a Company with the Registrar of Companies or registering a Partnership Firm does not, by itself, give you any intellectual property rights in that name. Registering a company or limited liability partnership (LLP) only means that no-one else in your state can register a company

or LLP with exactly the same name. However, it neither stop anyone from using the name from running a business entity other than company or LLP nor does it stop running a company or LLP with same name with different prefix or suffix.

You see, a registered company or LLP with Registrar of Companies is not something that protects the name – it is something required by law to form the entity. If you want to protect that name in the best possible way, you should register it as a Trademark.

Registering your business doesn't give you full rights over that name - only a trademark registration can give you full rights and ownership over that name.

If your business name is registered as a trademark, it clearly manifests rights you have and since when the rights subsist. Another advantage of trademark registration of your business name is that your name ends up being on a public searchable Register of Trademarks. If you register trademark over your business name it will prevent other businesses from using it. A registered trademark on business name gives you the exclusive right to use the name in connection with the goods and services in respect of which it is registered. It allows you to strongly enforce the Name and stop its misuse by effective legal action.