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WHITE PAPER

Searching For The Right Business Name

It May Be One Of The Most Important Decisions You'll Make

An Important Step In Starting Your Business

You may be considering several possible names for your start-up business. Before making a final choice, however, it is advisable to discover if that name is already being used by someone else.

Here are some of the ways you can find out if the name you are considering is already registered, incorporated or trade-marked:

1. Searching Company Names

For a fee, a complete name search can be conducted by private search houses—companies that specialize in this field. If you have a limited budget you can conduct your own business name search. It is important to make your search as complete as possible. For more information about name searches, visit www.nuans.com.

2. Searching Federally-Incorporated Business Names

If your business is going to operate federally, you can check the names of all federally-incorporated businesses on Industry Canada's web site at http://strategis.ic.gc.ca/cgi-bin/sc_mrksv/corpdire/dataOnline/search.cgi?lang=e

3. Searching Provincially Registered Business Names

Inquiries regarding business names that are registered provincially should be directed to the business registration authority in that particular province.

4. Searching Registered Trade-marks

Trade-mark issues could cause a huge setback for a small business, so doing the preliminary research is crucial. It is important to make sure a possible name isn't being used by another business and you are not infringing on anyone else's trademark or identity. Otherwise, you could find yourself facing a lawsuit and the possible loss of the business name. Avoid names that are close or even similar to your competition. And once you have decided on your business name, take the necessary steps to be sure that your name is protected.

Trade-marks can be searched on Industry Canada's web site (www.ic.gc.ca) or a registered trademark specialist can be hired to conduct a search.

For more information visit the Canadian Trademarks Database at <http://strategis.ic.gc.ca/app/cipo/trademarks/search/tmSearch.do?language=eng>

or the Trade-Mark Agents List at <http://napoleon.ic.gc.ca/cipo/agentdb.nsf/Trade-marks+Table+Of+Contents+English?OpenForm>



Your Business Structure Is Important

Choosing a Business Structure

Your selection of a business name will be influenced by the type of business structure you are considering: sole partnership, partnership, corporation or a co-operative. The type of business could affect the name of your business.

Registering a Business Name

If you choose to register a business, the name you have chosen must be registered before you can start using the name. You should check provincial web sites for the rules and regulations regarding business registration. All provinces may not have the same procedures.

Incorporating Your Business

You may be one of those business owners who wants to incorporate instead of registering because it provides for greater name protection under the law. If you choose to incorporate, you need to decide if you want to incorporate federally or provincially. There are both advantages and disadvantages to incorporation. In making this decision, it is always advisable to consult a lawyer with corporate experience.

Following these steps will help in the process of choosing the right name for your type of business now and in the future. Additional information can be found in our White Papers "Mistakes To Avoid When Naming Your Business" and "Choosing The Right Business Structure."

Once you have your decided on your business name, call **NEBS** for all the essential products and services to help your business get started, from creating that great logo design to branded cheques, forms, stationery, payroll and more. Δ