

# OUR TOP FIVE LEGAL TIPS TO REBRANDING

# Rebranding is a big step for any organisation or charity.

The benefits of a rebrand extend far beyond a new logo and colour scheme. It will have an impact on your company ethos, the tone of your communications and many other things.

Our trade mark and IP team have the job of guiding our clients through their rebrand process. We help with managing expectations, evaluating risks and helping make sure you don't head down the road to disaster, whilst remaining positive, 'can-do' and commercial. There are several legal boxes to tick and hoops to jump through to complete a rebrand, and we are here to help.

**Here are our five top tips of the key things you need to think about as you embark on your new rebrand journey.**

# #1 Be distinctive

## Make sure your name is distinctive

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A creative agency may tell you your choice of name should make you stand out from the crowd. But there's a balance to strike if you also want something that 'does what it says on the tin', so that people can see your name and immediately tell what you do.

It's important the second consideration doesn't overshadow the first. This isn't just a marketing point though, because names that describe what an organisation does are difficult to protect under trade mark law. The best names are often those which convey a message about you, but are not directly descriptive. We can help you navigate this tricky area.



## #2 Do your checks

### Check your new brand is free to use

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Once you have a name you're happy with, it's crucial you check you're not stepping on another's toes. If someone else has trade mark rights (either registered, or unregistered but acquired through use) in the same or a confusingly similar name, they can block your use and possibly even pursue you for compensation.

One approach that can work well is to start by running basic 'preliminary' searches against a shortlist of names with a view to identifying 'knockouts'.

Once you're ready to commit in principle to a given name, that's the time carry out more in-depth searches. Specialist trade mark lawyers like our team can help with this.



## #3 Register your brand

### Trade mark registration

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Once you have established that the new brand is free to use, you should apply to register it as a trade mark, which will provisionally protect it against imposters (subject to registration ultimately being granted).

You should certainly look to ‘trade mark’ the new name, and there may be a good case for protecting logos and straplines too.

You also need to remember to register the necessary domain names and social media handles you want to use.

## #4 Change your registered name

### Company name and Charity Commission considerations

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You should consider changing your registered name as it appears on Companies House's records. If you change your registered name, you also need to tell the Charity Commission.

## #5 think global

### Overseas

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Once you've filed your first trade mark application, you have six months to extend your protection to any other territories you're interested in.

Trade mark protection is acquired on a country-by-country basis, but there are some shortcuts that allow you to apply to register in multiple countries via a single filing – we can help you navigate these.

For more information contact the  
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