

Back to Basics



by Paul Cascio

Naming Your Business

If you're planning to start a business, one of the decisions you'll face is selecting a name for it. Or perhaps, you've decided to change the name of your business to clarify your identity to the public. Sounds like fun, doesn't it? Absolutely. It's an opportunity to exercise your creativity. And isn't creativity what framers are all about?

Choosing a moniker for your new enterprise is fun in the same sort of way as naming your child or even a new puppy, except for one thing—it's a lot more important.

The name you choose will have far reaching implications in determining the success or failure of your business. A well-chosen name can help put your business on the path to success and become a valuable long-term asset. Conversely, an ill-chosen name can lead you to a fast demise. And should you adopt a name that proves to be the trademark property of someone else, it could lead to the threat of a lawsuit. I know, because it happened to me many years ago

when I was first starting out.

In 1989, after two profitable years of basement framing, I decided to venture out and open my first retail store. One of my first purchases was an art catalog on a

laser disc, the 12-inch diameter precursor to CDs and DVDs. The laser disc contained hundreds of images of prints and posters that could be displayed on a television screen as a continuous slide show. Unfortunately, because there was no way to access the images directly, it was not very good as a catalog for selling art. Because of this, I decided to create a computer program that would let me view images selectively, based on color, size, style, artist, or subject matter.

I demonstrated my new art selection system for everyone who entered my store. I also contacted *The Hartford Courant*, the major daily newspaper in the area, and told them of my creation, which I named Image Bank. The business editor there decided to publish a very nice and very large article (replete

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with photo) about my business and about Image Bank on the front page of the business section, which greatly aided in kick-starting my new retail venture.

Customers began streaming in to buy art using my new high-tech system. And of course, when they buy art, they also buy frames. And with my mug plastered on the cover of the paper's business section, I became somewhat of an instant celebrity in the neighborhood. Everything was great—for about three weeks that is. That's when I got the certified letter from the Law Firm. The Law Firm in Manhattan. The Law Firm with 12 names in its title. The one residing on the 94th floor of The Chrysler Building that uses very expensive looking stationery. The purpose of their letter was to inform me that the name I chose for my high-tech print catalog—Image Bank—was the trademark property of their unnamed client and that I was to “cease and desist,” etc, etc.

Okay, so who was their client that had the right to claim ownership of my cleverly chosen name, I wondered? I decided to find out, enlisting the help of the staff of my local library since the Internet as we know it today did not yet exist.

I got my answer. It turned out that “Image Bank” was the trademark name of a stock photo agency owned by a company in Rochester, NY. Actually it was the largest stock photo agency in the world and it's owned by a company called Kodak. Oh well.

My written response to Kodak's attorneys was brief and to the point. I said simply, “Okay.” I had already benefited from the publicity, and received a free lesson in trademark law too. And that lesson is to do your research first and be certain that the name you choose doesn't belong to someone that has more money than you have.

Of course, there's more to a great name than just ownership rights. Successful names are the result of imagination, marketing savvy, common sense, and of course, research. (The name I chose for my framing business—which I used both as a basement framer and a retail business) was A-Frame Art & Framing. The “A” ensured a good position in the Yellow Pages directory.)

Anyone can select a name for their business. Choosing one that becomes a valuable asset is much more difficult. I believe there are several elements that should be considered before you emblazon your sign with a brand name. They are: descriptiveness; creativity; brevity; legali-

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ty; distinction.

Descriptiveness

Be sure your name says, or implies, what you do—picture framing. Using jargon

in a store name, such as “The Mitered Corner,” may confuse the public. Picturing a frame, or frame corner on your sign and logo can help to clarify your message.

Creativity

A unique, catchy, and clever name is great, but only if other important elements are satisfied. A name that is cutesy and fails to describe or at least imply what you do, can actually be harmful to your success.

Brevity

Keep your name relatively short. The more words that are in your name, the smaller the lettering on your sign will be. Bigger is better; your sign will be more visible from greater distances.

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Legality

Performing an Internet search will probably tell you all you need to know, but it's prudent to perform a full trademark search that can also be done online at the United States Patent and Trademark Office website (www.uspto.gov).

Distinction

What is unique about your framing business that sets it apart from the competition? Whether it's speed, price, or some other quality, be sure to include it in your business name to help prospective customers differentiate and give your business a competitive edge.

The name you select for your business can play a major role in determining its future success. Choose carefully, using both your heart and your head. ■

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