



BRIGHTER
NAMING

Pragmatic Naming for Today's Software

*Powerful Product Names –Cool Company
Names. Marketing's role in creating and
preserving trademark I/P and brand equity*

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Download from
www.BrighterNaming.com/Softname.pdf

*"Your name is your most important weapon in
the battle for the mind" – Ries and Trout
(Positioning: The Battle for the Mind)*

Powerful Product Names

- 
- A Name
 - iPod
 - A Registered Trademark
 - A name
 - FireFox
 - Safari
 - Opera
 - Chrome
 - Not a number!
 - MP3-550
 - Not a generic
 - Not a description
 - Internet Explorer

Different names stand out from the crowd

- Register.com
- Registrar.com
- Network Solutions.com
- Domains.com
- CheapDomains.com
- GoDaddy.com

- eTrade.com
- Ameritrade.com
- SureTrade.com
- Charles Schwab

Strong, great, branded companies

- Great Name

- Powerful Product Names

- Google

- Chrome
- Picassa
- YouTube
- Android

VS

- Great Name

- But what are your products?

- Yahoo

- Finance
- Sports
- Photos

Strong Great Branded Companies

- IBM
 - Websphere
 - Lotus
 - Tivoli
 - Cognos
- Intel
 - Pentium
 - Centrino
 - Xeon

- Oracle
 - ??
 - ??
 - ??
- Cisco
 - ??
 - ??
 - ??

Strong Great Branded Companies



- HP

- Compaq
- Pavilion
- Presario

- Adobe

- Photoshop
- Acrobat
- Dreamweaver
- Postscript

vs

- Agilent

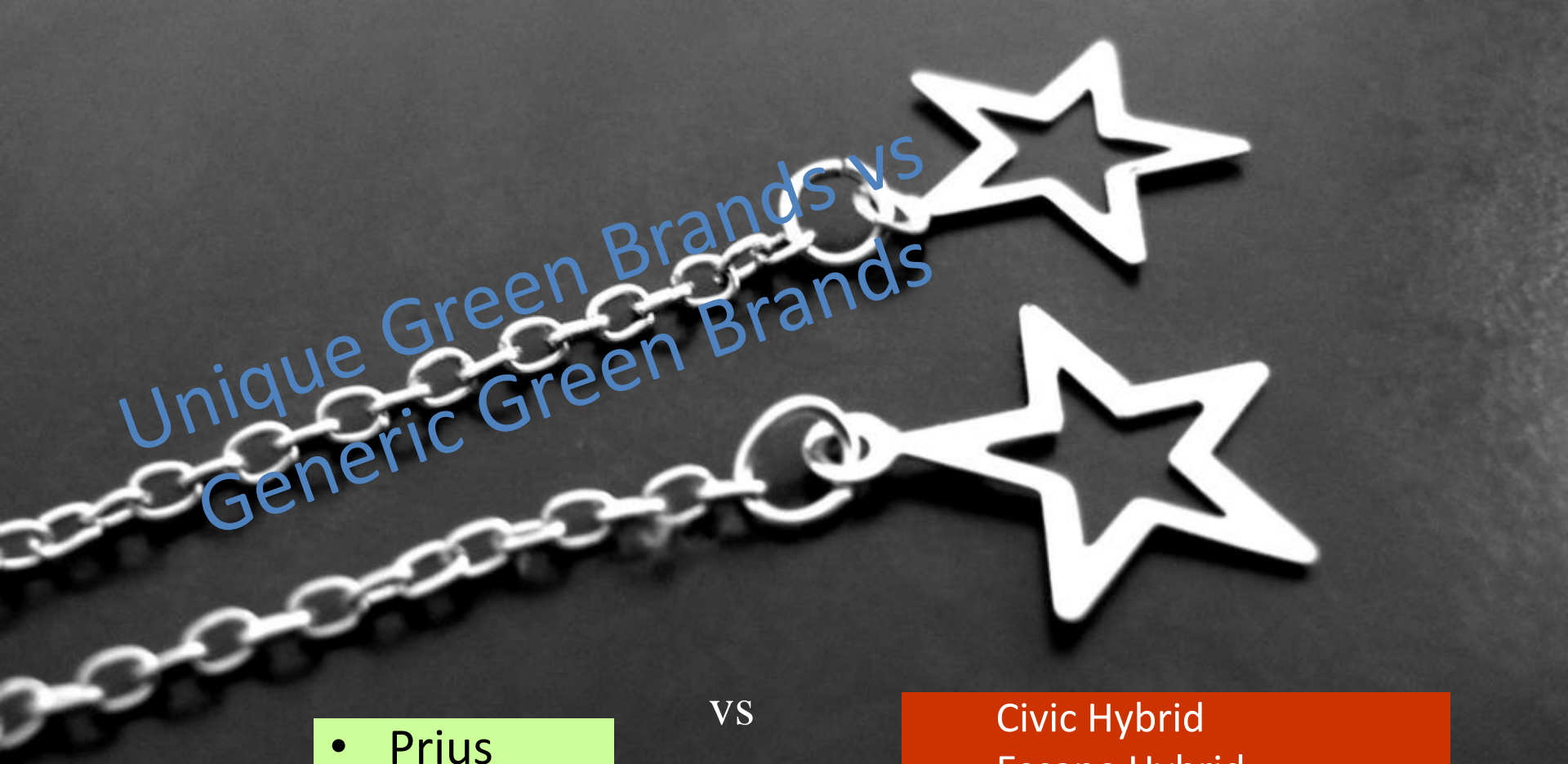
- ??
- ??
- ??

- SAP

- ??
- ??
- ??

Have strong sub brands too!

What will investors relate too?



Unique Green Brands vs
Generic Green Brands

VS

- Prius
- Tesla
- Leaf
- Volt
- C-Max

- Civic Hybrid
- Escape Hybrid
- Fusion Hybrid
- Lexus Hybrid
- GMC Sierra Hybrid

Strong Great Branded Companies

- Apple
 - iMac
 - iPod
 - iPhone
- ABC
 - ABC TV
 - Disney
 - ESPN
 - Touchstone
 - Miramax

VS

Acer

??

??

??

GE

Plastics

Consumer Products

Medical Products

Aircraft Engines

NBC


Have strong sub brands too!

What will investors relate too?

But who is in charge of the Brand and where is the Brand?

- Read **Brighter Branding** – *Branding for the smaller business* from Foden Press (or Amazon or Kindle)





Your name alone is not a brand

- But it is the legal shorthand and handle for the brand promise and experience

Marketing is in charge of Packaging!

- “Engineers make devices, Marketeers make products” (Bill Davidow – High Tech Marketing)



- Engineers invent things.. And **patent** them.
- Writers write words (or movies or music) and **copyright** them
- Marketeers name products or services or companies, and **trademark** them.

Registered Trademarks [®]

- Only the US Patent and Trademark Office (USPTO) can register a trademark in the USA.
- There are only 37 trademark classes for goods and 10 for services.
- All hardware, software, optical and photographic goods are in International Class 9!
- All computer / scientific services are in Class 42.
- So duplicates do exist in the same class.. But must not be “confusingly similar”

Examples[®]

- Dell[®] Books
- Dell[®] Computers
- Adobe Systems Inc
- Adobe Furniture
- Adobe Wine
- Adobe Cigars
- Adobe Building Materials
- Sysco[®] - Food Services
- Sisco[®] - MIS shredding
- Cisco[®] - Network gear
- United Airlines
- United Parcel Service
- United Semiconductor
- United Car Rental
- United Chefs
- United States Postal Service
- And 1000's more

How to file a Trademark application

- Anyone can check registered trademarks... visit www.uspto.gov/trademarks
- Anyone can file for a registered trademark, as long as they are the owner (or their lawyer) and can prove current usage.
- You will lose your \$325 (per class) if you do not check thoroughly first.
- BUT and BECAUSE
 - Common law rights also exist!!

Common Law Rights



- SV Code Camp is not a registered trademark
 - So, can I use it for my business networking and training organization?
- Are any of these good names for a new software package?
 - » Blue Martini
 - » Sidekick
 - » Ubuntu

Common Law Rights

- Anyone can claim trademark rights in name as soon as they use it, simply by putting the symbol TM or SM after the name.
- It is a self policing system. If no one complains, no problem.
- If someone complains....and you lose the lawsuit....
Well Microsoft had then to pay \$5.4 million for Internet Explorer and Apple had to pay \$48 million for their own Apple name!

But all the good names are taken 😞

- And all the good software written
- And all the great computers invented
- And all the instruments are already working
- And all the cars we care to drive are designed already
- And all the varieties of orchids bred
- And all the great recipes of the world.....

Brighter Names



Pragmatic Naming for the Smaller Business



Athol M. Foden

How do you find a name that is available?

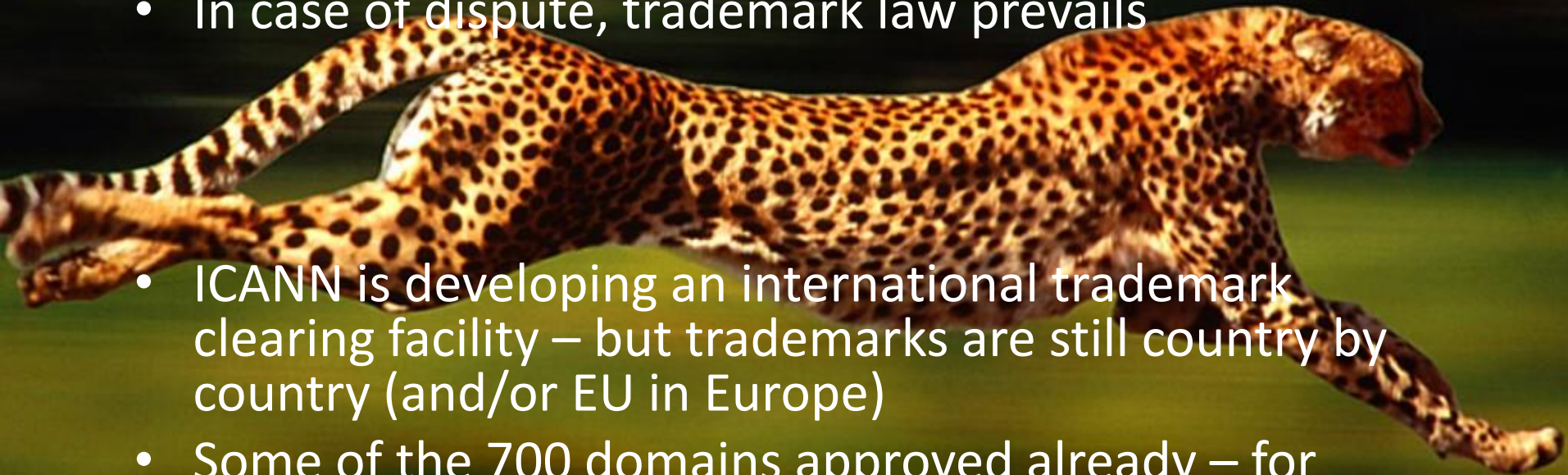
- Assume all common obvious names are taken in your industry
- Remember, you are trying to name the product, not describe it
- Typical way to operate: Walk around or sit under a tree. Think of a possible name. Check it. Heartbreak. Try again. (Hint: This system works but can take forever).
- Better way: Rope in friends and family to help and generate a long list of names (at least 50) in different styles, some descriptive, some coined, some foreign, some symbolic, some cross over words ..in Excel.
- Play different combinations off each other of the first and last syllables of these 50+ names to make another 50 new words that have known roots.
- Read them aloud & tweak for smoothness. Add new variations.
- Check them all for .com domains (GoDaddy.com bulk check) and www.uspto.gov for US trademarks
- Heartbreak step: List your top 20 and check for common law on search engines – dig deep. Don't only rely on Google.
- From those that survive, pick your top 10. Print these up big and stick on wall or refrigerator. Go to sleep.
- Only discuss with trusted partners who know what your software does.
- Rank them and pick a winner
- Move quickly to protect and preserve your name (see article under Namebase section on www.BrighterNaming.com.)



P.S. If you are in a big corp. naming can unfortunately be a big mgmt. time waster. And big companies are large legal targets and operate in more countries too. So consider getting help to save a lot of money, time and headaches.

New Domains Finally Coming....

- A domain is just an address until developed and promoted. It gives you little or no legal rights
- In case of dispute, trademark law prevails



- ICANN is developing an international trademark clearing facility – but trademarks are still country by country (and/or EU in Europe)
- Some of the 700 domains approved already – for release next 6 to 12 months:
 - .web .music .online .africa .mail .news .inc .shop
 - .cars .app .blog .church .site .tech .mobile .eat
 - .school .hotel .xyz .cool .garden .football .corp .inc
 - .software .cloud .tech .wiki .store .shop .fashion

Build a trademark portfolio

A large multi-masted sailing ship, likely a three-masted schooner, is shown from a low angle on the deck. The ship's white sails are partially unfurled, and the complex rigging of ropes and pulleys is visible against a bright, overcast sky. The ship is on a dark blue sea, and the wooden deck in the foreground is visible. The overall scene conveys a sense of maritime tradition and enduring craftsmanship.

Products come and go, versions and designs change

But brands endure and become a “franchise”

Like

- Photoshop
- MS Office
- Verilog
- Pentium
- Norton Utilities
- Netscape
- Semphonics
- Kindle

SOLYNDRA™



webvanta
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GainSpan™



ULTRIVA

Azingo™



←Ensenda→

CONCUITY®



AGILAIRE™

viscira™



ZEEVO™

Lumenaré
networks



We're all about synchronization
ConnectionRoad



VISTA DYNE



APRIVA

symbian

Affinaquest

medtegra™
CONNECT. COORDINATE. COLLABORATE.

AGILAIRE™

Inceptra™

Aptora

CONCUITY®

QUESTRILL™

Zymmetry

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DNA

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webvanta
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Azingo™

quantevo™

WEBTRENDS
Ad Director™

coretegra
compute beyond the basics

mercantila™

Servantus™

OPANGO

cingular™
WIRELESS

OPENNODE™

See Resources and Namebase sections of www.BrighterNaming.com for more background information and How To Do It guides.



Thank You

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BRIGHTER
NAMING

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Reference Books

Brighter Names



Pragmatic Naming for the Smaller Business



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Brighter Branding



Best Practices for the Smaller Business



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How Kelvyn Got His Name



Rosie Reay

Illustrations by Corrie McMiller



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