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Protect your brand with that trademark

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When Christine Ralph founded her hand-made goats-milk soap company, The Gamrie Goat, she never thought it would be necessary to trademark her company's brand. Then the trouble started.

Ralph assumed that Gamrie, the name of her small village in Aberdeenshire, in northeast Scotland, would be fairly unique, and no-one would try to use it.

But Ralph soon encountered trouble when, two years ago, several firms poached images and the name from her [website](#), effectively trying to ride on her wave of success.

"It never occurred to me that I should register a trademark for the company," Ralph explains. "So it was a strange feeling when I came across another website that was using my name and photos of my goats."

After some more online research, she found another site that was also using her company's name, and realised it was essential for her to do something to prevent others hijacking her brand.

"I knew straightaway that I needed to get a trademark registered. It really was my mistake to not have registered it to start with, but as a small British business, I never thought I would encounter trouble," she adds.

Because Ralph needed to trademark her name immediately, she chose to do it online, using [Trade Mark Direct](#) (TMD), rather than through the registry.

"It was an easy process, and having the trademark pending really helped to reclaim my brand. I certainly wouldn't make the same mistake again," she says.

TMD estimates that 85 per cent of new small businesses fail to register a trademark.

"If you have registered a trademark, it is acknowledged that you have a monopoly right, and it is therefore much easier to assert your rights," adds Steven James, an intellectual property specialist at international law firm Pinsent Masons.

"What's concerning is that so few businesses realise how important getting the right protection for their company's name or logo is," says Mark Kingsley-Williams, director of TMD, adding that without registering a trademark, businesses put both their reputation and branding at risk.

Rob Hawley, a partner and trademark specialist at law firm Mathys & Squire, emphasised the point further: "Businesses often spend a great deal of time and money selecting and promoting a brand name and identity. Trademark protection is a vital part of this process, as it provides them with the exclusive right to use a name and a logo."

"The message is – register now for a relatively small outlay, and don't pay later," James adds.

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