

How to Check Brand Name Availability Before Registration?



Establishing a brand identity is one of the most crucial steps in starting a business. Before proceeding with [Brand Name Registration](#), it's essential to ensure that your chosen brand name is unique, not already in use, and adheres to the guidelines set by Indian authorities. In this blog, we will guide you through the steps to check brand name availability, the importance of this process, and the associated procedures.

Why is Checking Brand Name Availability Important?

When we register a company name or brand, we're not just creating an identity; we're building trust and credibility in the market. Overlooking the importance of checking brand name availability can lead to legal disputes, rejection of applications, and additional costs. A proper search ensures that:

- Your brand name is unique and not identical to an existing one.
- Your registration application is approved without issues.

- You avoid any infringement claims or legal complications.

Steps to Check Brand Name Availability

1. Search on the MCA Portal

The Ministry of Corporate Affairs (MCA) provides a database where you can search for the availability of company names. Here's how we can check:

- Visit the MCA Company Name Search Portal.
- Enter the desired company name and click on "Search".
- Review the results to see if the name is already registered or similar to an existing one.

2. Trademark Search

A trademark search ensures that your brand name is not already trademarked. Use the following steps:

- Visit the Indian Trademark Registry website.
- Select "Public Search" and enter the desired brand name.
- Check if the name is already trademarked or has similar matches.

This process is crucial if you plan to apply for logo registration as well, as the name and logo must both comply with trademark laws.

3. Domain Name Search

Having a corresponding domain name is vital for an online presence. Use platforms like GoDaddy, Namecheap, or Google Domains to ensure your brand name is available as a domain.

4. Social Media Handle Search

We often overlook social media handles, but they're integral to branding. Check platforms like Facebook, Instagram, and Twitter to see if your brand name is available.

5. Engage Professionals

If this process feels overwhelming, we recommend seeking help from professionals who specialize in company and brand registrations. They can assist in conducting comprehensive searches and filing applications.

How to Register a Company Name in India

Once you've confirmed that your brand name is available, the next step is to register your company name. Here's how we do it:

1. Reserve the Name

- File the RUN (Reserve Unique Name) form on the MCA portal.
- Pay the applicable fee and submit your preferred company name(s).
- Wait for approval from the Registrar of Companies (RoC).

2. Register the Company

- Draft the Memorandum of Association (MoA) and Articles of Association (AoA).
- Apply for registration using the SPICe+ form available on the MCA website.
- Submit required documents such as identity proof, address proof, and director details.

3. Obtain a Certificate of Incorporation

Once approved, the RoC will issue a Certificate of Incorporation, officially recognizing your company.

Logo Registration and Associated Fees

Branding isn't just about a name; your logo is equally important. Registering your logo provides exclusive rights and prevents unauthorized use.

How to Register a Logo in India

1. Trademark Application

- File a trademark application for the logo.

- Include details like the logo design, associated goods/services, and brand name.

2. Fees and Charges

- The Logo Registration Fees in India vary based on the applicant. For individuals and small businesses, the fee is ₹4,500, while for others, it is ₹9,000 per application.
- Additional professional charges may apply if you engage a legal expert for the process.

3. Verification and Publication

- The Registrar examines the application. If no objections are raised, the logo is published in the Trademark Journal.

4. Issuance of Trademark Certificate

- After successful publication, you receive a trademark certificate, granting exclusive rights to your logo.

Understanding the [Logo Registration Charges in India](#) helps in planning your budget effectively and avoiding any surprises.

Tips to Ensure Smooth Registration

- **Conduct Thorough Research:** Before submitting your application, double-check the availability of the brand name and logo.
- **Avoid Generic Names:** Names that are too generic or descriptive may not be approved.
- **Comply with Guidelines:** Ensure your name aligns with the MCA and Trademark Registry rules.
- **File Documents Correctly:** Any errors in documentation can delay the process.

In conclusion, checking brand name availability before registration is a crucial step in building a legal and recognizable brand identity in India. By following the steps mentioned above and adhering to Indian guidelines, we can ensure a smooth registration process for our brand name and logo. This effort not only protects our business legally but also enhances its market credibility.

Frequently Asked Questions

1. How can we ensure our brand name is unique?

To ensure uniqueness, perform a comprehensive search on the MCA portal, Trademark Registry, and social media platforms. Engaging a professional can also provide additional assurance.

2. What are the fees for brand name and logo registration?

For brand name registration, the fees depend on the MCA's rules. Logo registration fees in India start at ₹4,500 for small businesses and ₹9,000 for others. Additional charges may apply for professional services.

3. How long does it take to register a brand name and logo?

The brand name registration process typically takes 10–15 days, while logo registration may take 6–8 months, depending on objections and verifications.

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For more information, please contact us at info@corpbiz.io or call us at **+91-9121230280**.