How trademarks and trade names differ

What is a trademark?
A trademark is a brand. It is any word, name, symbol, design, or combination of these that identifies the source of your goods or services and distinguishes them from the goods or services of another owner.

- You register trademarks with the United States Patent and Trademark Office to secure nationwide ownership rights.

Examples of registered trademarks include:

![Apple](image1)

APPLE INC.

![Nike](image2)

NIKE, INC.

THE CLOROX COMPANY

What is a trade name?
A trade name is simply the name of your business. Some people refer to them as “business names,” “company names,” “doing business as names,” “DBA names,” or “fictitious names.”

- You register trade names with your state to conduct business there.

Examples of trade names include:

See the reverse side to find out whether a trademark and a trade name can ever be the same.
Can a trademark and a trade name be the same?

Yes. They can be the same. It all depends on how and where they are used.

- Trademarks are used to attract attention.
  - They might appear in a large size on the front of packaging for the goods.
  - They might appear in a traditional trademark location on the goods, such as a label or hangtag.
  - They might appear in a traditional location on a website for services, such as the top left corner.
- Trade names are used to provide business information.
  - They might include an entity designation, such as “LLC” or “Inc.”
  - They might appear as part of an address.
  - They might appear with other informational matter and in the same type size and font.
  - They might follow the phrases “manufactured by” or “a division of.”

It is your choice whether to use the same wording as both a trademark and a trade name.

For an example, see the packaging below. “Philly’s Best Steak Company, Inc.” appears as a trademark in the upper left corner and as a trade name in the bottom right corner.