NEWS MEDIA RELATIONS
&
PUBLIC RELATIONS
PROMOTIONS

Recommendations for Crisis Response
A Communications Strategy for Crime Prevention Resource Center
October 7, 2004

Short-term

•Develop core message/written material(s) that reflect positive impact by CPRC. If possible, get direct quote(s) from key community or business leader who will go 'on the record' in support of CPRC. This information can be attached to an advisory in the form of a 'fact sheet'.
•Prepare brief media advisory—begin assuming a proactive posture ASAP.
•Prepare a brief written or e-mail correspondence with key audiences (eg: community stakeholders, donors, Crime Stoppers Advisory Board members) to offer reassurance and establish contact.
•Hold media briefings; assume role of authority and control the information and messages released by the media rather than reacting to the information that they offer the public. We must begin viewing the media as a key stakeholder—a vehicle to communicate with our audiences. Right now, they are our best hope for recovery, if utilized wisely.
•Post and update continuously consistent information on the CPRC Web site.
•Designate an employee for monitoring media coverage. This should begin immediately, and should include the clipping of tear sheets and notations regarding duration of any airtime devoted to the current CPRC scandal.
•Begin a thorough communications log—which can be something as simple as a spiral notebook—to document all incoming media requests for comments or interview(s), or other information (graphics, statistics, etc.). This tool will prove invaluable in determining media patterns of inquiry and documenting responses.

Note: Ideally, CPRC would soon take charge of information dissemination, using the communications log to review and schedule—on our terms—individual media interview requests.

Long-term

•Develop a **CPRC Crisis Contingency Plan** that is updated regularly and revised as needed. This plan should include the following components:

--Introduction
Includes different scenarios and crises (defined), guiding principles, general responsibilities, and target audiences.
--Core Staff and Assignments
Notes all persons responsible for shaping and delivering messages during a crisis.
--Facilities and Equipment
Determines actual locale with alternative, should CPRC building be unsafe or unavailable.
--Contact List
Includes staff as well as designated board members. Also, this list should outline key resources in case of emergency (fire, police, Red Cross, local hospitals, etc.), as well as a comprehensive media contact list.
--Procedures
Outlines the sequence of events and flow of information released in a crisis.
--Special Instructions for Specific Audiences
For instance, any key stakeholders, donors, civic and business leaders might be given a 'courtesy call' before the matter becomes public knowledge.

Revised with new information as of November 8, 2000

Coyote Communications
Technology Tip Sheet

Basic Press Outreach for Not-for-Profit and Public Sector Organizations

Okay, these are not all "Technology Tips".... but "How do I get the press to write about my organization?" has become a frequently asked question on soc.org.nonprofit, the online discussion group to discuss nonprofits and nonprofit management (and a group that I facilitate). And I get asked this question rather frequently myself, offline. So, I offer the following **basic** press outreach tips.

Before you delve into these tips, however... know that I fiercely believe in dealing honestly with the press, and these tips are based in that philosophy. I treat the press the way I want to be treated. Reporters are my customers, and I'm going to do the best I can by them.

Many agencies are appalled at this philosophy -- they believe that truth is something to hide as much as possible from the public. If you represent such an agency, then this tip sheet is not for you. Honesty will not get you into trouble with the media -- lies will. The moment the press decides you aren't telling them the truth, they will deliver a public relations nightmare to you. That doesn't mean going out and telling the press every bad thing happening at your organization, but does mean answering press questions to the BEST of your abilities -- and that can include "I won't comment on that."

The Basics

Like fund raising, press relations is an ongoing cultivation process. Your agency strategy for press coverage needs to go beyond trying to land one big story -- you want the press to know that you are THE agency to contact whenever they are doing a story on a subject that relates to your mission.

Therefore, don't think that every press release is going to result in a story -- it's not. But sustaining regular press contact will build recognition of your agency among reporters, and result in ongoing payoffs down the road. As stories and listings for your agency do appear, you won't just be reaching new audiences -- you will also be reaching current volunteers, supporters and clients, reminding them of what your agency is doing and what they have chosen to be a part of.

- First off -- who the heck is your agency, anyway? Is your mission statement the perfect brief description of your organization? If not, revise it before you approach the press. If you don't write a good, brief description of your organization and have it displayed prominently on your Web page and letterhead, in press releases and brochures, etc., the press will make up one themselves -- and it may or may not be accurate.

- As a followup to step one -- everyone at your agency should be able to recite that mission statement from memory. If it's too long for staff and board members to easily remember, it's too long for the press to remember as well.

- Media relations needs to be fully supported by your agency, and you need policies and procedures around your agency's press relations. Answering these questions is a start:
    - Who is responsible for press relations at your agency (writing press releases, answering calls from the press, inviting press to events, etc.)? Does the person who answers the phone know to refer ALL calls from the press to that person?
    - Do all staff members and volunteers (including board members) know what to do if they are contacted by a press

representative? (do they talk with that person and then let the agency's public relations director know they have done so, or, do they refer the reporter to the public relations director FIRST before any interviews take place? Decide a strategy and make sure it is communicated to everyone).

  - Who at your agency needs to know that a photographer or camera crew is showing up at your agency or event? If the agency feels an event is inappropriate for a camera crew (for instance, a dress rehearsal for a play the night before opening), what alternative can you give the crew?

And, finally: ALWAYS notify people they are going to be (or might be) photographed or filmed BEFORE it happens! You don't want someone throwing a fit for the evening news.

- The person who answers your phone, or anyone who signs anyone up for an activity at your agency (volunteers, donors, people who attend events, etc.), should ask these people who call how they heard about your agency or activity. This will help you see how effective your outreach activities are, and help you plan stratigically for the future.

- Identify all area media outlets. You want the names, postal addresses, phone numbers, fax numbers and e-mail address of all local daily and weekly newspapers, all TV stations, all radio stations, all organizations and editors that maintain event calendars (this will include the chamber of commerce and tourism board), and all TV programs, radio programs and specific beat reporters that would be interested in your organization in particular. If you are in a rural area, you want to also identify the major media outlets for the nearest metropolitan area.

  Most major metropolitan areas have a media guide, published by a local professional association (Women in Communications, Public Relations Association of America, etc.) or even a civic group (Junior League). Call other nonprofits, the nearest United Way, or a press person to find out if such a guide is published in your area. You can also use the phone book and the Web to compile this information.

  You don't necessarily have to have people's names to go along with positions -- sending something to "Attention Calendar Editor" at your local paper will get to the right person as quickly as putting that person's name on it. And given the high turnover in media, it's certainly easier to maintain your database this way.

- Do NOT contact ALL media outlets EVERY TIME you send a press release or have an event. If you do, you will overwhelm the organization, and reporters and editors will stop reading your materials. Also, some publications are highly-focused: a weekly neighborhood or community paper may only be interested in activities that DIRECTLY and OBVIOUSLY involve their particular community or population served. Therefore, you may have to tailor press releases to these publications to illustrate this connection.

- Who gets what? The following is a general overview, but you will need to tailor this for your own organization's events and resources, as well as per your goals for media outreach. For instance, I directed public relations activities for a professional association in Austin, Texas for two years; this organization had a limited space for its monthly meetings. My first efforts more than filled the room -- much to everyone's discomfort. The organization did not want to move to a bigger space and could not provide microphones for speakers. So I scaled back these efforts, generating enough attendance just to fill the room and meet the annual membership goals.

  Working with other staff members, develop an outreach calendar. What are the dates of events your agency will sponsor in the next 6 - 12 months? What about events that will involve your Executive Director or other key staff (a high-profile speaking engagement, for instance)? What about the launch of a new program or service? The launch of your annual fund raising campaign?

  Once you've developed this calendar of events, you can set your dates to contact the media. Your press release "send" schedule should follow this basic model:

  - Calendar editors (including those that manage online calendars) get press releases that announce events, workshops, etc. These should be sent two - three weeks in advance for daily and weekly publications; they should be sent six-eight weeks in advance for monthly publications.

- Assignment editors at TV stations get press releases that announce events you think would provide good video for the nightly news. Remember that TV stations are looking for lively visuals -- faces and movement. You should also fax the assignment editor 12-24 hours before such an event -- a one page fax with just the who, what, why, where, when, how, a contact name and why this event is particularly "filmable."

- Beat reporters (people who are assigned to a particular subject or issue area, such as education, entertainment, senior issues, sports, etc.) should get press releases ONLY for events, workshops or services that relate to their particular area of focus. Send these two - four weeks in advance. For announcements of a major event, you may want to sent a "Save the Date" press release several weeks or months in advance.

- Press releases can also be sent out on an as-needed basis, such as the departure of an Executive Director, a major grant received, an award to your organization, etc.

- As is mentioned earlier, some publications are highly-focused: a weekly neighborhood or community paper may only be interested in activities that DIRECTLY and OBVIOUSLY involve their particular community or population served; you may have to tailor press releases to these publications to illustrate this connection.

- Most radio stations have a music format, and have very limited time for public service announcements. Send your press releases to only those radio stations that feature regular news times, audio event calendars and public affair shows, following the guidelines above. For other radio stations, consider event partnerships; are you hosting an event, such as a "fun run" fund raiser, that would be a good place for a radio station to set up a live broadcast? Or are you trying to target a particular community or population that also makes up most of an audience of a particular radio station (for instance, if an agency is hosting a conflict resolution workshop for youth, perhaps the radio station teenagers listen to most in the area would be willing to sponsor this event and promote it on their station)?

- Non-press organizations and people should also get your agency press releases (as appropriate); this is how you will build a public reputation and become associated with public policy issues that might affect your agency's target population. These folks may also start directing calls from the press to you when they get them, as appropriate:

  - city (mayor, council people), county, state (legislators) and federal officials (congresspeople and senators) that represent your area
  - chambers of commerce (most areas are served by more than one -- there's the main one, but there is also might be a Black chamber , a women's chamber, etc.), tourist association, arts council, etc.
  - United Way (even if you are NOT a United Way agency)
  - Nonprofit development or support centers that serve your area
  - Nonprofit and public sector agencies with a similar focus
  - Professional associations and civic groups

- Make sure the press see your executive director and other key staff and board members as accessible. For instance, your E.D. should have lunch or dinner, one-on-one, occassionally with key local reporters, not necessarily to pitch stories or do an interview, but just to network and cultivate a relationship. However, staff members should NOT consider these meetings off the record; they need to watch what they say and conduct themselves as representatives of the agency.

Those are the **basics** -- they will get you started on the road to building a reputation with the press and getting media coverage.

Remember to **evaluate your efforts** every few months: Are stories being generated? Are press people attending your events? Are more people attending your events or calling your agency? (Remember -- you should ask ANYONE who calls your organization how they heard about your event or services).

Also, make sure other staff members know the results of your efforts:

- Distribute copies of all articles that appear about your organization, positive or negative, to all staff and board members. As resources allow and as appropriate, also send copies of stories to volunteers, donors and customers/clients.

- Find space in a public area at your organization or a place that staff frequent (the break room or a hallway) for a "brag board," where you will post articles about your organization that are published. (NOTE: I once got a raise because the Executive

Director stood in front of the brag board and was stunned that so much press had been generated; he'd seen the articles as they had come out, but seeing three months of positive newspaper articles posted on a wall made a BIG impression).

- Also watch the "Letters to the Editor" column for things that might relate to your organization, and distribute them appropriately. If your Executive Director or other staff member writes a letter on behalf of your organization (with approval, ofcourse), make sure all staff and board members get copies (and, as appropriate, make copies for volunteers, donors and clients, particularly if it is rubutting a negative article).

- A notice should go out to all staff and board members if a TV or radio program is going to do a feature on your organization (more than just a mention of the dates and times of an event).

- A notice should go out to all staff, board members, volunteers, donors and customers/clients if there is a partnership with a particular media outlet for an event your agency is sponsoring (see above, re: a "fun run").

Other resources

- The Care and Feeding of the Press by Esther Schindler and the members of the Internet Press Guild is a good guide to people who pitch stories to the online press. It's from the press's point of view, and offers good advice about writing your press releases and making your pitch.

- Outreach Via the Internet for
  Not-for-Profit or Public Sector Organizations
  It's more than just putting up a Web site; it involves finding and posting to appropriate Internet discussion groups, sending e-mails to current and potential customers, perhaps even starting your own online community.... it's proactive, interative and ongoing. Part of Coyote Communications Technology Tips for Nonprofit Organizations, http://www.coyotecommunications.com.

- Marketing Your Organization's Web Site
  Part of Coyote Communications Technology Tips for Nonprofit Organizations, http://www.coyotecommunications.com.

- Using the Internet To Advertise Successfully An index of various online resources, part of Coyote Communications Technology Tips for Nonprofit Organizations, http://www.coyotecommunications.com

- **THE CLUETRAIN MANIFESTO**
  http://www.cluetrain.com
  "We appreciate your efforts in spreading this important sedition." A project involving the often hilarious / often outrageous / sometimes insulting / always entertaining Entropy Web Consulting and "Rageboy." This is a challenge to companies to quit thinking that they can control the Internet and online culture and shape it to fit their outdated PR and marketing dreams, and to quit fearing its "open" nature and, instead, realize that this open system can actually be a good thing in the quest to meet customer needs and move products and messages. I think most of the things put forth in this document are worth considering among the not-for-profit and public sectors as well.

- **the Drucker Foundation SELF-ASSESSMENT TOOL**
  for Nonprofit Organizations
  http://www.pfdf.org/leaderbooks/sat/index.html
  It is built around five questions:
    What is our mission?
    Who is our customer?
    What does the customer value?
    What are our results?
    What is our plan?

All Coyote Communications Tip Sheets are works-in-progress. If you would like to add something to any of these tip sheets, please e-mail me with your suggestion; if your contribution is used, you will be credited. Please include your name, e-mail address, Web address (if applicable), the name of the company you represent (if any), and any other information you'd like to share.

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All About Marketing

Assembled by Carter McNamara, MBA, PhD | Applies to nonprofits and for-profits unless noted
First-Timers | Library Catalog | Library Home Page | Contact Us | Reprint Permission
Authenticity Consulting Home Page | MAP Home Page

Before you learn more about marketing, you should get a basic impression of what marketing is. See What's "Advertising, Marketing, Promotion, Public Relations and Publicity, and Sales?". Basically, you might look at marketing as the wide range of activities involved in making sure that you're continuing to meet the needs of your customers and are getting appropriate value in return. Think about marketing as "inbound" and "outbound" marketing. (In the following, consider "product" to be either a tangible product or a service -- nonprofits often refer to these as "programs".)

Inbound marketing includes researching (with market research methods) to find out:

1. What specific groups of potential customers/clients (markets) might have which specific needs (nonprofits often already have a very clear community need in mind when starting out with a new program -- however, the emerging practice of nonprofit business development, or earned income development, often starts by researching a broad group of clients to identify new opportunities for programs)
2. How those needs might be met for each group (or target market), which suggests how a product might be designed to meet the need (nonprofits might think in terms of outcomes, or changes, to accomplish among the groups of clients in order to meet the needs)
3. How each of the target markets might choose to access the product, etc. (its "packaging")
4. How much the customers/clients might be willing pay and how (pricing analysis)
5. Who the competitors are (competitor analysis)
6. How to design and describe the product such that customers/clients will buy from the organization, rather than from its competitors (its unique value proposition)
7. How the product should be identified -- its personality -- to be most identifiable (its naming and branding)

Outbound marketing includes:

1. Advertising and promotions (focused on the product)
2. Sales
3. Public and media relations (focused on the entire organization)
4. Customer service
5. Customer satisfaction

Too often, people jump right to the outbound marketing. As a result, they often end up trying to push products onto people who really don't want the products at all. Effective inbound marketing often results in much more effective -- and less difficult -- outbound marketing and sales.

The library includes extensive information in the various topics that are closely related to marketing, so be sure to later see Related Library Links.

(The publication, Field Guide to Nonprofit Program Design, Marketing and Evaluation, includes more comprehensive and detailed information about marketing. Although the publication pertains to nonprofits, the marketing information pertains to for-profits, as well. The publication, Venture Forth!: The Essential Guide to Starting a Moneymaking Business in Your Nonprofit Organization, includes extensive information about market planning and analysis for new nonprofit earned-income ventures.)

Major categories of information include

Basics and Planning
Basics of Marketing
Market Planning

Inbound Marketing
Marketing Research (tools & methods to examine markets, their needs, competitors, etc.)
Competitive Analysis
Pricing
Positioning (including writing your positioning statement)
Naming and Branding

Outbound Marketing
Advertising and Promotions

Public and Media Relations
Sales
Customer Service
Customer Satisfaction

Protecting Ownership of Your Products/Services
Intellectual Property

Evaluating Your Marketing Efforts
Measuring Results of Advertising
Evaluating Your Marketing Program

Marketing On Telephone and/or On-Line
Telemarketing
Marketing On-Line

General Resources
Additional Information for Nonprofits
General Resources
Related Library Links
On-Line Discussion Groups

Free, On-line, Complete Training Programs That Include This Topic!
For For-profit Organizations:
This topic is also included in the Free Micro-eMBA learning module Marketing Your Products/Services and Your Organization. This complete, "nuts and bolts", free training program is geared to leaders, managers and consultants who work with for-profit organizations.

For Nonprofit Organizations:
This topic is also included in the Free Nonprofit Micro-eMBA learning module Marketing Your Programs. This complete, "nuts and bolts", free training program is geared to leaders, managers, consultants and volunteers who serve nonprofit organizations.

Tell Your Friends! Local Professional Organizations! Spread the Word!
Tell friends and professional organizations about these free programs! Advertise them in your newsletters and web sites so that others can save training dollars, too!

Additional Information for Nonprofits

For nonprofit leaders, the publication Field Guide to Nonprofit Program Design, Marketing and Evaluation includes extensive guidelines and tools for all aspects of nonprofit marketing. The publication, Venture Forth!: The Essential Guide to Starting a Moneymaking Business in Your Nonprofit Organization, includes extensive information about market planning and analysis for new nonprofit earned-income ventures. Note that all of the above information applies to nonprofits, too. The following link is to sites that often offer nonprofit-specific advice.
Additional Information for Nonprofits
Program Design and Marketing (Nonprofit)

General Resources

A table with numerous links to marketing-related sites
Extensive lists of lists ...
Marketing Resource Center
List of useful articles
Industry Standard

Related Library Links

Advertising and Marketing laws
Advertising and Promotion
Creativity and Innovation
Customer Satisfaction
Customer Service
E-Commerce (doing business on the Internet)
Intellectual Property Law

Product Selection and Development
Program Planning and Management (For-Profit)
Program Design and Marketing (Nonprofit)
Public and Media Relations
Research Methods (Basic Business)
Sales
Social Entrepreneurship

On-Line Discussion Groups, Newsletters, etc.

There are a large number of on-line discussion groups, newsletters (e-zines), etc. in the overall areas of management, business and organization development. Participants, subscribers, etc., can get answers to their questions and learn a lot just by posing the questions to the groups, sharing insights about their experiences, etc. Join some groups and sign up for some newsletters!
References to major egroups, newsletters, etc.

WHAT A DIFFERENCE A NAME MAKES

What's in a name? A commercial identity. For the name you select for your business, product or service explains who you are or what you sell. It identifies what sets you apart in the marketplace. It helps determine how you're perceived. Which means you've got to find a name that communicates exactly the right message.

You can generate names on your own or consult an ad agency, design house or marketing firm that specializes in naming. Either way, it's best to begin by examining the commercial names around you and evaluating their effectiveness. Look at car names, for example, and think about what they mean and why, from a marketing standpoint, they were chosen.

So first immerse yourself in names, and then start your own naming process.

Generating Names For Businesses

In today's crowded and competitive environment, a new company called "Standard," like the oil, or "Campbell," like the soup, would hardly be noticed. But other established names such as Rubbermaid, Rent-A-Wreck and Holiday Inn might, for the simple reason that these names communicate an enduring concept -- a marketing position or corporate personality.

Accordingly, the first step in generating company names is to pinpoint three to five attributes or benefits -- marketing positionings -- that make your company special. These could be a hot-button feature common to all your products or services, the range or specialization of your inventory, or key user benefits such as economy or peace of mind -- reasons, in short, for customers to decide to choose you over the competition.

Consider, as well, three to five personality traits you might want to communicate, such as friendliness, skill, innovation or elegance, focusing on qualities your target customers will appreciate. There's light-heartedness, for example, in the names of the massage center Nice to Be Kneaded and the computer consulting firm Rent-a-Nerd.

For each benefit or personality trait, make a list of all the names that come to mind. These may be words or phrases associated with the benefit or trait. Or they may be words for ideas or objects that evoke that trait or benefit the way the clothing store Headlines, for example, evokes newness and excitement and the California high-tech firm Oracle evokes visionary power.

If you want your name to include your type of organization (e.g., "company," "group," "corporation," "electrical supply"), try out the names you generate with your organizational word to make sure you have pairs that work together.

Generating Names For Products And Services

Like company names, names for products and services may express a benefit to customers or a personality trait. More than with companies, however, product and service names must be strongly competitive. So use market research to focus on qualities that demonstrably motivate sales or counteract buyer resistance, as evident in names such as Ziploc, FunSaver, Energizer and Nice 'n Easy. Also, know the competition thoroughly so that your name communicates an advantage others do not, or expresses the same advantage even more compellingly.

Finally, decide on a word or phrase that identifies your product or service, such as "health snack" or "payroll service," and make sure the names you generate sound right with these identifiers.

Think About How It Looks

Sometimes a name is successful because it's paired with an effective visual image. For example, Berkeley Learning Technologies shows its name with a bacon-lettuce-tomato sandwich, while Turtlewax explains the logic of its name with the image of a hard-shelled turtle.

Typeface also makes a difference, setting a tone that can carry as much meaning as the words themselves. Script, for example, is often used to convey elegance, reinforcing that aspect of the name or giving a not-particularly-elegant name a new dimension.

Prepare And Test A Shortlist

With at least two other people, go through all the names generated and narrow them down to 10-15 candidates. It's helpful to write the names on index cards and keep the cards displayed over the course of days so you can live with the names and get to know them.

When judging names, be sure to say them aloud. Could receptionists happily answer the phone all day with that company name? Is a product or service name one you'd feel comfortable asking for in stores or by phone? If you're contemplating a cute name, is it an in-joke or will it grow stale over time? And will a company name remain appropriate if you expand?

After you finalize your shortlist of names, test them out on at least 30 strangers -- ideally in focus groups convened by an ad agency or marketing firm. Ask these people not only their order of preference but also what each name connotes, and give more weight to the opinions of potential customers.

Finally, after assembling all this information, decide on a list of six or more top choices, and put them through a trademark search to determine if they're already trademarked or available for use.

Trademarking Your Name

Trademarking your name can be time-consuming because many good names are already taken; you may have to keep returning to square one. You'll save time if your naming company, or attorney, can do a computer search of already-registered trademarks; otherwise, your recourse is simply to mail in your trademark application and wait for a response. Note that you must apply to your state's trademark office and, if you'll be using the trademark for interstate commerce, to the federal office as well.

After registering your trademark, you'll need to protect it from becoming so ordinary a word that at renewal time, in 10 years, a competitor can argue it has become too generic to merit your company's exclusive, protected use. That's why, for example, Levi Strauss calls its product "Levi's" jeans' -- which makes Levi's a type of jeans ("jeans" is the identifier), not another word for jeans. The name is always capitalized, and unauthorized use is prevented. In short, Levi Strauss guards its name's specialized and exclusive reference to its product. For commercial names are not simply words, they are assets as well.

Name Change Helps Wine Sales Soar

For several years Rene Barbier Red Table Wine, imported from Spain, had sold only 4,000 - 5,000 cases annually. Sales were so flat, in fact, that distributors threatened to discontinue stocking the product.

Then David Brown, marketing director at Freixenet USA, the Sonoma, California importer of Rene Barbier wines, had an idea. He changed the bottle from green to clear glass and told the winemakers to create a younger, fruitier wine.

His next step was to change the name. Capitalizing on the fact that wines from Mediterranean countries capture more than 70 percent of the U.S. market, and guided by the explosion of interest in Mediterranean cooking and restaurants, Brown created a new category of wine: Mediterranean wine, embracing the entire region. Out of this came "Rene Barbier Mediterranean Red" -- complete with a beckoning table-by-the-sea label.

The result? Orders for 140,000 cases after only nine months. And the orders just keep flowing.

A Lawyer's Advice On Trademarks

What's the advantage in trademarking your name? In a word, protection.

"The law works to protect the investment you make in promoting your name," explains attorney Tim Hale of Russo & Hale in Palo Alto, California. "Registering your trademark establishes not only your ownership of the mark, but also your exclusive right to use it in commerce."

Another purpose of the law, Hale continues, is to prevent confusion in the marketplace over products, services or companies with similar names. Names, words or symbols, or their combination, will receive Patent and

Trademark Office approval only if they meet the following criteria:

* Distinctiveness. Trademarks must be so different from already-registered marks that the public is unlikely to be confused. The trademark office considers numerous "distinctiveness" criteria, including resemblance to marks on similar goods and services, the likelihood of confusion under anticipated selling conditions, and the fame of similar marks currently in use.
* Departure from mere description. Trademarks must go beyond generic descriptions such as "Digital Engineering," geographic descriptions like "Golden State" and, unless they're long associated with that product, family names or initials. All are so commonplace that it would be unreasonable to give them protected, exclusive-use, trademark status.

In addition, proposed trademarks may not be "immoral, scandalous or deceptive" -- one example of deception being the image of a stretched hide used in connection with non-leather products.

State and federal governments have separate trademark offices requiring separate applications. For both, you must meet the office's distinctiveness and other name criteria; show that your mark is affixed directly to your product, or printed on business cards or letterhead; and demonstrate actual commercial use of the mark. "Actual use" requires proof of within-state or, for federal registration, interstate sales. The federal trademark office will accept an "intent to use," rather than proof of actual use, as long as evidence of actual use follows within six months -- which may be extended to 18 months.

Approximately three months after filing your application, you'll receive a certificate of registration or, more frequently, a denial on specific grounds. A solidly reasoned response often reverses a ruling, notes Hale, although companies may have to narrow their trademark use to commercial sub-areas where their mark can be cleared -- confining themselves, for example, to "handmade clothing" instead of the broader "children's clothing."

For international trademark protection, Hale recommends registering in foreign countries within six months of registration in the U.S. -- an arrangement that, by international treaty, provides protection in that country from the date of U.S. protection.

Finally, back in the U.S., your trademark needs renewal every 10 years. Between the fifth and sixth year of this period, you or your lawyer must file an affidavit with the Patent and Trademark Office stating that the mark is still in use. Without this affidavit, your trademark will automatically be canceled. File the renewal application itself within six months before the mark expires. At this time a mark may be contested -- often because another company argues that it has become generic. Thus trademark holders must be vigilant about protecting their names from becoming ordinary words.

□