



news + views



Dear Friends,

Today, I'm breaking format, or to be honest, I'm taking a break! I've asked Stacey C. Friends, Esq. of [Ruberto, Israel & Weiner](#) to write this column and provide some words of wisdom on creating a trademark, knowledge that I'm sure many of you entrepreneurs out there will find both interesting and helpful!

As you know, I'm more than happy to offer counsel and expound upon all things marketing. So, feel free to call or email me if you're wondering what hot topic is on my mind today. However, for now, see what Stacey has to say about branding from a lawyer's perspective.

Have a great day!

A handwritten signature in black ink that reads 'Lori Moretti'.

Lori Moretti



Choosing a Brand - Key Trademark Issues

Brands, or trademarks, are important in every industry. The name of a product, service, restaurant, or store can create coveted consumer brand recognition and loyalty ... or not. Choosing a trademark is a creative and strategic process, but as trademarks are protected under federal and state laws, there are many legal implications as well. The following are the most important things to consider from a trademark perspective when choosing a new brand.

Be Creative. Before using a trademark, it helps to carefully choose the mark. Try to avoid names that merely describe your product or service or an attribute of your product or service. Marks such as, "Mail Manager" for direct marketing services, or "Smooth Shave" for a razor, are typically descriptive and unprotectable. The more inventive names take time, effort, and advertising to build up an identity with consumers, but are the

best source identifiers and the most valuable (think "Exxon," "Google," or "Amazon"). Arbitrary marks ("Gap," "Apple") and suggestive marks ("Cracker Barrel," "Staples") are also protectable and are good choices if you do not want a completely invented mark.

Search! There is a duty to do a search before adopting a trademark to ensure that no one else is using it already. Doing a Google search and a search of the United States Patent & Trademark Office (USPTO) site is good start, but a full search report from a reputable trademark research company is best to turn up all possible conflicts. If you plan to operate internationally, an international search is also helpful. The ideal strategy is to choose two or three marks, search them all, and then make a decision about the brand name.

Use and Registration of Your Mark. Once you have chosen and cleared your mark, you should begin using it (with the "™" symbol) to start building up your trademark rights. If your mark is truly unique and no one else is using it for a similar product or service, you can work with your trademark attorney to register the mark with the USPTO. A federal registration gives you nationwide rights and many other benefits. Be advised that in the U.S., the first, or "senior" user will probably prevail in a trademark conflict, but in the rest of the world, one obtains rights only through registration, so if you plan to operate internationally, you will need to register in the appropriate countries.

These are just some of the considerations when choosing and protecting a mark. For more information, contact Stacey Friends at sfriends@riw.com.

OINOS EFRENI KARDIAN: WINE PLEASES THE HEART!



City Winery Boston and American Airlines present the **First Class International Wine Pairing Series**, monthly wine dinners showcasing American Airlines nonstop daily service destinations. Guests will enjoy remarks by a leading regional expert and a multi-course dinner paired with flights of wine reflecting the traditional styles of the region. On November 14th, explore the history, culture, cuisine, and wines of Greece with Diamond Imports founder Ted Diamantis and City Winery Chef Enx.

Visit citywineryboston.com for tickets and information on future International Wine Pairing events. Everyone who attends a dinner will be entered into the American Airlines Sweepstakes for the chance to win two round trip tickets to any American Airlines



CRAFT BEER BRITTLE: DRINK YOUR BEER AND EAT IT TOO



The craft beer craze has entered a new sweet dimension, as **Hilliards Chocolates**, New England's leading maker of artisan chocolates and specialty candies, introduces Craft Beer Brittle. Cooked in copper kettles, Craft Beer Brittle combines the local flavors of Hilliards traditional peanut brittle with fresh brewed beer from Shovel Town Brewery in Easton, MA. Take a bite and enjoy its buttery sweet crunch followed by the nutty flavor of Spanish peanuts chased by a beer finish. Perfect for game day parties, holiday gatherings, hostess gifts or for no reason other than pure pleasure. **Order online** or visit a Hilliards store in North Easton, Norwell or Mansfield.



THE MEATBALL IS THE MESSAGE: A MENU INSPIRES DESIGN



Boston Nightlife Ventures' new restaurant, **Certified Meatball Company**, opened its doors in August in South Boston. Designed by award-winning **Morris Nathanson Design (MND)**, the restaurant's interior reflects the owners' vision of the brand as casual, urban, and reminiscent of an old-style Italian butcher shop. As the name suggests, Certified Meatball Company's menu offers all kinds of meatballs paired with various sauces and sides, served in traditional and innovative ways. Likewise, the restaurant's interior blends classic with contemporary. It features an open kitchen, dramatic centerpiece bar, and iconic retail counter complemented by colorful decorative elements such as old-fashioned meat grinders, hanging knives and cleavers, vintage photographs, and custom artwork. Certified Meatball Company exemplifies how MND works with restaurant owners to bring their ideas to life and create dynamic and welcoming spaces where people can enjoy the experience of sharing a meal and connecting over drinks.



CELEBRATE THANKSGIVING IN STOWE



Thanksgiving at home is surely delightful, but consider the benefits of getting away for the holiday - no cooking or cleaning and plenty of rest and relaxation. Pack up grandma, grandpa and the kids and head to Stowe, Vermont for a Thanksgiving to be remembered. Family-owned and operated, Stoweflake offers you an enticing special discount on accommodations. Stay three or more consecutive nights over Thanksgiving, and stay Thanksgiving night free of charge. Dine at **Charlie B's** and then enjoy family-friendly

activities ranging from a swim in the indoor pool to spa treatments and hikes through the Vermont countryside. Skiers will be happy to know that the projected 2017 Stowe Ski Season opens on November 21-25. For more info visit stoweflake.com.



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Now with a quick text or voice command you can turn on your lights, order an Uber, close the garage door, listen to your favorite playlist, lock your car, and so much more. However, as your digital universe of products and services grows, how many devices do you have to talk to or text to get things done? How many apps do you need to download?

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