

Trading As

A trading as name is a name chosen by a business that is different from their registered company name. Unlike the registered company name, the trading as name, or trading style as it is sometimes known, is never officially registered with Companies House. It is quite a common occurrence for businesses to adopt a 'trading name' to run their business with.

For example:

- Macdonald's is a trade name, but its registered name is Macdonald's Corporation.
- Starbucks is a trade name, but its registered name is Starbucks Corporation.
- Divine Chocolate is a trade name and their logo is also trademarked, but its register name is Divine Chocolate Ltd. (Would suggest you google their logo or simply check their privacy policy on the website - <https://www.divinechocolate.com/privacy-policy>)

Equally you will find other trade names that are completely different from the full register name.

Trading names must not:

- be the same or similar to another business name of another company.
- include 'limited', 'Ltd', 'limited liability partnership', 'LLP', 'public limited company' or 'plc'.
- contain a 'sensitive' word or expression unless you get permission.
- be the same as an existing trademark.

Additionally, if using a trading name as part of carrying out business, a company is required to display the appropriate information in all places where the business is carried out and, on all documentation, invoices and alike.

For example, if ABC Limited is trading as XYZ, then they must make as much clear on a notice at their premises, on paperwork and website displaying – "ABC Limited trading as XYZ".

An obvious pitfall is the last on the list – trademark. Always carry out a trademark search, otherwise you could end up with very costly legal battles and a huge headache for the company and its management team.

A trademark can be more than just a name and is generally used to protect it from use from others. It can be a logo, colour, shape or combination of these. But it cannot describe the goods or services, be misleading or too common and non-distinctive. We will follow up on trademarks in another section.

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