

Ideally, a Business Name should consist of a distinctive element and a descriptive element:

Example: “Jane Beauty Shop”

Jane = distinctive element

Beauty Shop = descriptive element

Distinctive Element

The distinctive element serves to differentiate names having identical or similar descriptive elements.

Names such as “THE DOLL SHOP” and “FOOD STORE” lack an appropriate distinctive element, and for that reason, would be rejected.

They would, however, be acceptable, if they included a distinctive element such as “DOLL SHOP OF **JANE**” and “**MARISADOR** FOOD STORE”. Consider how original the distinctive part of your business name (e.g., is the distinctive portion common, such as Winnipeg, Canadian or Western) is.

Descriptive Element

The descriptive element is useful in describing the nature of the business. It allows for the use of identical or similar distinctive elements, which might be desirable in developing a particular presence in the marketplace.

Example - “JANE AUTO ELECTRIC” and “JANE ROOFING”

Descriptive elements can be the first word in a business name. In this case, pizza is the descriptive element in the name “PIZZA HAVEN”.

One Word Names

A business name does not have to contain both a distinctive and a descriptive element. Sometimes a business name may be only one word. These business names may be difficult to obtain, as the name will be rejected if that word is already contained in another company name.

Numbered Names

If you want to carry on business under a numbered name in Manitoba (i.e. 12345678 MANITOBA), a Request for Name Reservation is not required.

Punctuation Marks

Only the following punctuation marks are permitted: ! “ \$ % & ‘ () * + , - . / : ; < = > ? [] \

Family Names (Surnames)

A business name contain a family name, but the name cannot be a surname alone (e.g., Reynolds). When a business name contains a surname of an individual, the individual must be the registrant or provide consent.

Initials in a Name

Where a business name is made up entirely of initials, at least three letters are required (e.g., ABF).

Names Indicating the Practice of a Profession

If a business name suggests the practice of a profession that is regulated by a statute (e.g., ABC Engineering), the registration must be accompanied by proof of professional standing for one of the registrants involved. Usually a photocopy of a current membership in the governing organization is sufficient.

Prohibited Names

Unincorporated Business Names (i.e. sole proprietorships and partnerships) may not:

- Contain the following words:
 - Corporation or Corp.
 - Incorporated or Inc.
 - Limited or Ltd.
 - Association or Society
- Misdescribe the business, goods or services of a company (e.g., Western Trucking - but the nature of business is a bakery).
- Contain obscene terms, vulgar expressions, racial slurs, or and expressions that suggests a business that is obscene, scandalous or immoral.
- Imply a connection with the Crown, members of the Royal Family, Government of Canada or Government of Manitoba, unless a consent from the appropriate authority is received.

Other Factors to Consider

The Companies Office considers many factors when deciding whether a name is too similar to name already on record. This includes:

Sound - Do the names sound the same even though they are spelled differently (e.g., Knight, Night and Nite)?

Nature of Business - Are the companies in similar lines of business?

Location - Are the businesses located in the same city, town or area of the province?

Bilingual Names

If the proposed name is a bilingual name that are:

- **Visually similar**, then only one Name Reservation is required.
Example –“ABC ENTERPRISES/ LES ENTREPRISES ABC”
- **Visually dissimilar**, then two separate Name Reservations are required with a fee for each name Example –
“SISTER CLEVEMONT HEALTH PLAN / PLAN SANTE SOEUR CLEVEMONT”