

# AdSlogans



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'Just Do it', 'The Ultimate Driving Machine', 'Every Little Helps': Slogans are at the heart of some of the most iconic branding, yet checking that a new line has not been used before poses particular difficulties from a brand clearance perspective. AdSlogans is a long established and unique specialist search tool designed to meet this need.

Despite their value, slogans (also called lines, straplines, taglines and endlines) are not always registered as trade marks. There are a number of reasons for this. They are often descriptive and trade mark registries can be reluctant to register them if they consider them a promotional tool rather than a trade mark. Sometimes brand owners do not take steps to register slogans, perhaps because a campaign might be over before the trade mark application achieves registration or perhaps the possibility of registering a slogan did not occur as it was not a traditional trade mark.

The danger of using someone else's slogan, even if not registered, is that it can still give rise to other legal risks. If a third party has been, or is, using a slogan for the same/similar goods or services and has built up goodwill in that slogan, then the use of a same/similar slogan could lead to potential public confusion. This risk may enable the owner of the earlier slogan to bring an action for passing off resulting in an injunction being granted preventing the use of the slogan line, as well as damages. Just as important is the PR embarrassment of being forced to re-brand and the lost media space and related costs caused by pulling the campaign. The time needed for a further re-brand and re-launch could also delay sales.

AdSlogans was created as a tool to meet this risk by researching whether the same or similar slogans have been used in previous campaigns or are associated with other brands. Established in 1990, AdSlogans has built up a database of over 500,000 straplines which is constantly updated. When a search is commissioned a report is compiled using results from a number of different sources:

- The AdSlogans database
- Basic trade mark search
- Online search resources
- Third party data feeds

## Types of AdSlogan searches

We provide a number of different searches. LineCheck is the most frequently requested search.

LineCheck: Investigates whether a particular slogan is, or has been, in use.

WordCheck: investigates the use of single words within a specific product sector, for example, 'fresh' within the food sector, 'value' within the retail sector.

BizCheck: provides an overview of slogans within a specific product sector.

## Costs

AdSlogans searches are provided on the following fees (excl VAT.) Please note costs are per line.

SERVICE	STANDARD	EXPRESS	ANALYSIS	FULL REPORT
DELIVERY	1-2 working days	Same day (if advised before 11.00am)	1-2 working days	5-7 working days
UK/Ireland LineCheck	£375	£550	£400	POA - cost affected by variables
Extended LineCheck	£550	£750	£600	POA - cost affected by variables
UK/Ireland WordCheck	£450	N/A	N/A	N/A
Extended WordCheck	£600	N/A	N/A	N/A
UK/Ireland BizCheck	£500	N/A	N/A	N/A
Extended BizCheck	£700	N/A	N/A	N/A
CONTENT	Conducted by researcher: 1. Topline TM search 2. ADSlogans database search; and 3. Online investigations	Conducted by researcher: 1. Topline TM search; 2. AdSlogans database search; and 3. Online investigations	Conducted by lawyer or TM attorney: 1. Review of AdSlogans LineCheck Report	Conducted by lawyer or TM attorney: 1. Review of AdSlogans LineCheck Report; and 2. Additional legal searches and analysis comprising a comprehensive TM search

### What are the response times?

Standard searches are reported in 1-2 working days and premium searches the same day if ordered before 11am. Both services are subject to availability during periods of high service demand.

### What do we mean by 'UK/Ireland' and 'Extended'?

'UK/Ireland' - Searches for slogans within the UK and Ireland combined with a basic trade mark search on the following registers: UK, Ireland and EU.

'Extended' - Searches for slogans within the UK and Ireland but with some coverage of the USA, Canada, Australia and New Zealand. It also includes some English language lines from English speaking countries and limited foreign translations. It is combined with a basic trade mark search of the following registers: UK, Ireland, EU, USA, Canada, Australia, New Zealand and Singapore.

### What is the difference between a full trade mark search and an AdSlogans search?

An AdSlogans search seeks to identify any exact or near uses of slogans in the general advertising marketplace using the keywords provided. The results will include uses taken from TV, cinema, print, radio and outdoor including some digital video and results from an internet search engine.

The AdSlogans search also contains a basic level of trade mark search which is conducted in the relevant territories but is restricted to identical and very highly similar marks and is subject to the limitations of the publicly searchable databases used. This type of search is intended to assist in preparing the AdSlogans report and should not be relied on for trade mark clearance.

A basic trade mark search may suffice for a short term advertising campaign, however where clients are likely to make a significant investment in long term use of a mark it is advisable to conduct a full trade mark search. The full trade mark search provides a much deeper level of trade mark risk analysis. There are a number of variables that affect cost and so we would provide a separate quote on request for such searches.

### Can I see an example of an AdSlogans report?

Please [click here](#) to view a copy of an AdSlogans report.

### Do I need a lawyer to review the AdSlogans report?

The AdSlogans report will provide information on those uses located by our Analysts which they consider might be relevant. However, our Analysts are not qualified lawyers and cannot provide an assessment as to the actual risks of trade mark infringement or passing off that might be posed.

Many clients with legal and business affairs departments review the results themselves. However, where a client would like a trade mark lawyer to review the results and provide a legal risk assessment of relevant hits we can assist subject to an additional charge. This may add an additional working day to the turnaround time.

### What other searches can be conducted?

In addition to trade mark searches we are able to provide additional searches that may be useful for analysing risk in addition to full trade mark searches. These include domain name searches, company name searches, design searches and also common law searches and investigation services.

**If you have any questions, or would like to order an AdSlogans search, please call us on +44 20 7074 8379 or email us at [adslogans@lewissilkin.com](mailto:adslogans@lewissilkin.com).**

**Alternatively, complete this [FORM](#) and a member of the AdSlogans team will be in contact with you shortly.**



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