

POLICY – APPROVAL OF PRACTICE NAMES

BACKGROUND

Historically the bylaws of the ABVMA required that the name of a veterinary practice include the veterinarians' name or geographical location, have the word 'animal' or 'veterinary' in the middle and end with the word 'clinic', 'hospital' or 'service'.

There has been an evolution of veterinary practices in the province from the traditional full service mixed animal practice to special interest and limited practices. This evolution is in part due to the public demand for specialized veterinary medical services.

The naming of veterinary practices is now more permissive to allow for these different types of practices and creativity when naming veterinary practices. The Bylaws of the ABVMA still requires that practice names are approved, however, rather than prescribing what must be contained in a practice name, the bylaw sets out the reasons why the PIPS Committee may refuse to grant permission to use a practice name.

From the ABVMA bylaws:

4.8 Names of Practices

- 4.8.1 Registered Veterinarian, permit holder, facility or other entity offering veterinary services to the public shall, prior to the use of any practice name which the person, permit holder, facility or entity wishes to use, have the practice's name approved by the Practice Inspection and Practice Standards Committee.*
- 4.8.2 The Practice Inspection and Practice Standards Committee may refuse to grant permission to use any practice name that in its opinion:
 - 4.8.2.1 is misleading;*
 - 4.8.2.2 is in bad taste, self-laudatory, or otherwise contrary to the honor and dignity of the veterinary profession;*
 - 4.8.2.3 potentially abuses the trust of members of the public;*
 - 4.8.2.4 claims any superiority or guarantee;*
 - 4.8.2.5 unless the Registered Veterinarian in the facility is registered as a specialist pursuant to s. 5.1 of the General Regulation, suggests a specialty in the practice of veterinary medicine.**
- 4.8.3 Council may from time to time develop and publish such guidelines with respect to the naming of the veterinary practices as it deems appropriate.*
- 4.8.4 A Registered Veterinarian, permit holder, or other entity offering veterinary services to the public, may appeal a decision of the Practice Inspection and Practice Standards Committee under this section to Council. Notice of such appeal shall be in writing, which shall set out the basis of the appeal. The appellant and a representative of the Practice Inspection and Practice Standards Committee may, at the discretion of Council, make oral representations to Council with respect to the appeal, upon Council granting leave to do so.*

Gaining consensus of PIPS Committee members regarding practice names is challenging. This policy sets out the process for practice name approval by the PIPS Committee.

POLICY

The responsible veterinarian for the veterinary practice wishing to have a practice name approved or a practice name changed shall submit the appropriate application to the ABVMA.

The application for the practice name approval shall be forwarded to the Registrar (or his designate) and the PIPS Committee Chair.

If there is agreement between the Registrar (or his designate) and the PIPS Committee Chair that there is no reason to refuse to grant permission to use the practice name, the name will be administratively approved and the member will be notified and will be informed of their obligations in use of an approved name.

If there is not agreement between the Registrar and the PIPS Committee Chair that the name may be administratively approved, then the name is not approved and:

- the applicant is notified that the name has not been approved,
- the Registrar or the PIPS Committee Chair may provide feedback on the submitted name and/or make suggestions of modifications to the name that may result in administrative approval, and
- if the name is not modified and is not administratively approved, the PIPS Committee will conduct a review of the application to determine if there is a reason to refuse to grant permission to use the name.

PROCESS FOR PIPS REVIEW

The PIPS Committee will hold a meeting to discuss the application for a practice name that is not administratively approved. This may be in person or by teleconference.

The application is provided to the PIPS committee and will include a brief description of the practice, the business model and why the applicant wishes to use the name.

An applicant may submit, in the original application, an alternate name for consideration by the PIPS Committee, which may be considered at the same review.

In the event the PIPS Committee refuses to grant permission, the Committee will provide the reasons why permission was refused.

Upon refusal to grant permission to use a name, the PIPS Committee may suggest alternatives similar to the name submitted that would not be refused by the Committee.

Upon approval of a practice name, the member will be notified and will be informed of their obligations in use of an approved name. The PIPS Committee may include comments or suggestions regarding the approved name.

REASONS

The PIPS Committee will provide brief reasons for refusal of all names that are refused permission. These reasons will be provided to the applicant and maintained in an archive to document the decisions of the PIPS Committee, in an effort to have consistent application of the Bylaw.

ARCHIVE OF REFUSED NAMES

All names for which the PIPS Committee has refused to grant permission will be archived. This listing will include the name of the applicant, the date the name was refused, and the reasons of the PIPS Committee for refusal of the name.

The archive of refused practice names will be available to the PIPS Committee at each meeting where a review of a practice name is conducted.

A name or substantially similar name that has been refused by the PIPS Committee will not normally be granted permission for use by another applicant.

APPROVAL OF REFUSED NAMES

A practice name submitted by an applicant that was previously refused permission may subsequently be granted permission by the PIPS Committee for use provided the reasons for refusal of the name have been addressed. This may occur due to an evolution of the application of the Names of Practices bylaw or the interpretation of the bylaw, or a change in the type of practice for which the name approval has been requested.

A practice name submitted for approval by an applicant that is the same or substantially similar to a name that was previously refused permission will not be granted permission for use unless the PIPS Committee grants permission for use of that name and the applicant that previously submitted the same (or substantially similar) practice name has been offered the opportunity to use that name.

OLD PRACTICE NAMES

The names of practices that have changed their name or have closed (have stopped using a name) may not be used by another practice for a period of 5 years from the time the practice becomes inactive. The name may be approved for use by another practice provided the consent of the registered veterinarian that originally submitted the name is obtained.

Date Approved by Council:	January 22, 2014
Date Reviewed:	
Reviewed By:	Council
Future Revision Date:	2017

Opening a New Veterinary Practice Entity – Information for Veterinarians

Veterinarians or Corporations wishing to open a new practice in Alberta must complete the **ABVMA Application for Practice / Facility Approval**, which includes:

- Name of Practice – includes description of why the name is chosen. This will be considered according to the Policy – Practice Name Approval.
- Provide a brief description of the practice
- Proposed Opening Date
- Indicate if Diagnostic Radiology will be offered.
- Mailing Address
- Physical Location of the Practice / Facility
- Practice / Facility contact numbers
- Practice / Facility email addresses and website
- List all owners of the Practice / Facility
- List all Veterinarians hired for this Practice / Facility effective date of application
- List all Registered Animal Health Technologists hired for this Practice / Facility effective date of application
- Include any other documentation that may be relevant to the application

In addition, any corporation that will be engaged in the delivery of veterinary medical services (corporation owns a veterinary practice), will be required to complete the **Application by a Corporation for a “Permit to Practice Veterinary Medicine”**

Practice Naming – Information for Veterinarians

ABVMA Bylaws require that all practice names must be approved for use by the PIPS committee. The bylaw much more permissive than in the past and allows some creativity in naming the various types of practices demanded by the public. The PIPS committee is tasked with ensuring that all names approved for use comply with the bylaw.

Process for veterinarians submitting a name for approval:

1) Choose a Name

In selecting a practice name, the applicant must:

- Review the current list of practice names currently in use (refer to ABVMA Directory, online at: <http://www.abvma.ca/Directory/>) and verify that the name is not in use by another veterinary practice in Alberta
- Review the criteria for practice name approval in the Naming Bylaw, section 4.8 of the ABVMA Bylaws available online at: <http://www.abvma.ca/About-ABVMA/documents/ABVMABYLAWS-MAY2013.pdf>

- Obtain a Business Names Report and register your business name through a Corporate Registry Agent. The following information is provided from the Service Alberta website at <http://www.servicealberta.ca/730.cfm>

Do I need to register my business name?

Yes.

A person or a partnership must register a business name when they carry on business under a name that is not their own personal name(s).

The business name is registered by providing information to an [authorized service provider](#). When your information meets the requirements of the Partnership Act, the business name is registered and a proof of filing is issued to confirm that the registration has occurred.

Business Names Report

Although there are few restrictions on a business name, you should choose your name carefully. If you choose a name that is same as, or similar to, an existing business name, corporate name, or trademark, the owners of the other name or trademark could take your business to court, and ask a judge to stop the use of the name and award damages.

A Business Names Report is a helpful tool for choosing a business name. The report contains registered business, corporation, and trade mark names that are similar to your proposed business name. Business Name Reports are available from [authorized NUANS providers](#).

There is no requirement under the Partnership Act for a business name to be unique - duplicate business names may exist. Registration of a business name does not grant any right to ownership of the name. It is simply proof that the name is in use by a particular business and provides consumers with information on the identities of the owners of the business names registered in Alberta.

- The applicant may consider registering the practice name as a Trademark.

The ABVMA process of practice name approval does grant an applicant the exclusive use of a practice name. There have been and may continue to be similar names approved for use. Applicants must register the name with Alberta Corporate Registry and in addition are encouraged to Trademark their practice name in order to protect it.

2) The applicant will complete and submit the 'ABVMA Application for Practice / Facility Approval to the office.

Once the completed application is received, the administrative process for review is:

- a. The name will be administratively reviewed by the Registrar and the Chair of the PIPS Committee and may be approved for use.
- b. If the name is administratively approved, the applicant will be contacted by the office that the name is approved.
- c. If the name is not administratively approved, the applicant is contacted to inform them of the administrative decision and that approval of the submitted name will require a meeting of the PIPS Committee for approval.
- d. The Registrar or PIPS Committee chair may provide feedback to the applicant regarding the name and/or suggestions for modifications to the name that may result in approval.
- e. The applicant may, in addition to the submitted name, provide an alternate name for consideration by the PIPS Committee.
- f. The PIPS committee will meet to discuss the name to determine if it is in compliance with the bylaw and consistent with previous decisions regarding name approvals.
- g. The applicant will be informed of the decision of the PIPS Committee.
- h. In the event the name is not approved, the PIPS committee will provide to the applicant the reasons for the decision.
- i. The applicant may appeal to Council a decision by the PIPS committee regarding a name not approved for use.

ADDITIONAL INFORMATION FOR APPLICANTS

ABVMA Naming Bylaw

Applicants should review the Bylaw on Practice Naming, section 4.8 of the ABVMA Bylaws. The main criteria considered by the PIPS committee are:

- 1. Is the name misleading?** We want to make sure the public knows this is a veterinarian. A name like Furry Pet Centre could be a grooming facility, boarding facility or something else. Try to make it clear.
- 2. Is it in bad taste, self-laudatory, or otherwise contrary to the honor and dignity of the veterinary profession?** For example “Get Your Butt in Here Veterinary Hospital” is in bad taste and is not in keeping with our profession.
- 3. Does it potentially abuse the trust of members of the public?** This means the name of the practice should be reflective of the business that is provided. For example an “Emergency Hospital” suggests full service, after hours as opposed to a primary care facility.

4. **Does it claim any superiority?** For example “Best Veterinary Services” or “Superior Animal Hospital” infers that this practice is better than others.

5. **Does it suggest a specialty in the practice of veterinary medicine?** Try to avoid using any words that indicate to the public that you are a specialist unless you actually are. Avoid words like specialty, referral, board certified, etc. It is also best to avoid words that are part of a specialty (ie surgery, dental, internal medicine, critical care, etc). Words such as spay, neuter, or emergency are commonly used and not considered a specialty.

PIPS Committee Suggestions regarding selecting a practice name

1. Do not use a name that is very similar to an existing name. This may cause confusion and may offend the existing practices.
2. Avoid long names as they may create problems for your receptionist answering the phone, signage and other advertising. Remember you need to use your entire name in all communications.
3. Keep your name simple and easy to pronounce.
4. Avoid slang, abbreviations, acronyms, or words that are not real words.
5. Attempt to use a name that is descriptive of the services offered at your practice. If you are located in a building use words like hospital, clinic, or center. For consulting practices use words like services or incorporated.
6. In non-conventional practices such as house calls (in the car), ambulatory (veterinary equipped truck) or mobile (the new word for veterinary clinics on wheels), the name should accurately reflect the services offered.