Framing fame: Your name is not automatically yours to sell

News & Updates • April 16, 2026

'First published on India Business Law Journal'

By: Madhu Rewari

The notion of personal branding holds undeniable appeal. You become the product, your name transforms into the brand and your personal narrative drives the marketing. However, behind this seemingly straightforward concept lurks complex legal and commercial challenges that have caught out celebrities, entrepreneurs, designers and even children of well-known personalities.

A recent incident involving Brooklyn Beckham, in January 2026, brought this issue into focus when David Beckham's son publicly claimed his parents pressured him to relinquish rights to his own name.

Trademark rights trump personal identity

When a name acquires commercial value, it becomes a valuable asset that is not automatically controlled by the individual who bears it.

At its core, the journey of turning a personal name into a brand is about the tension between personal identity and commercial interests. This dynamic is not limited to celebrities, extending to founders, creators, influencers and professionals who seek to leverage their names in business.

A critical legal reality emerges: Trademark rights take precedence over personal identity. Simply being born with a notable surname does not guarantee the right to commercialise it. Trademark ownership is paramount, and it can override even the most personal of identities when it comes to commercial use.

Kylie trademark dispute first use

While disputes over personal branding can be emotionally charged when they involve family, conflicts over name-based brands can be equally intense when they are purely commercial. These disputes often come down to a critical factor: who established their brand first.

A prominent example was the trademark dispute between Kylie Jenner and Kylie Minogue. In 2015, Jenner, filed an application to register the trademark "KYLIE" for advertising and endorsement services.

However, another "Kylie" already had a significant presence in the market. The Australian pop icon,

Kylie Minogue, had spent decades building a global brand around her first name.

Her claim to the name was supported by ownership of the domain kylie.com since 1996 – a year before Jenner was born – and existing trademark registrations for "Kylie" in connection with entertainment and various merchandise categories.

Personal names can become trademarks

Minogue's legal team formally opposed Jenner's application based on Minogue being an "internationally renowned performing artist, humanitarian and breast cancer activist" – while dismissing Jenner as a "secondary reality television personality".

Minogue claimed prior rights to the name and contended that registering Jenner's mark would inevitably confuse consumers.

The dispute was eventually resolved privately, with Minogue's team withdrawing opposition following confidential settlement terms.

The key takeaway is that a common first name can become a highly valuable exclusive trademark. The legal conflicts examined here – whether between a pop star and designer with the same name, or global brand and the founder's son – are not unusual. They are the direct result of a fundamental principle: Once a personal name gains commercial value it transitions from being a mere marker of identity to becoming a piece of intellectual property.

Register early to protect name

Trademark law operates on a clear, objective framework: Who was the first to register the trademark, in which jurisdiction, and for what goods and services?

The lesson from these disputes is proactive brand strategy. The entrepreneurs and creators who successfully navigate this landscape are those who treat their name as a valuable asset from the very beginning.

This involves:

1. Early registration;
2. Understanding rights: Maintaining a clear understanding of which rights are retained and which may have been transferred; and
3. Formal agreements: Ensuring that all commercial arrangements, whether with family members or business partners, are documented in clear, legally binding agreements.

Anyone considering building a business or brand around their own name must understand the legal implications and take proactive steps to secure their rights and seek protection.

The intersection of identity and intellectual property requires careful legal planning to avoid losing control over that most personal asset – your own name.

KEY CONTACT

Madhu Rewari

Partner

View Bio of Madhu Rewari

RELATED PRACTICES

PATENTS