



DANICA MATHES COMMENTS ON LAW360 ON SCOTUS OFFENSIVE TRADEMARK RULING

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Partner [Danica L. Mathes](#) is quoted in the *Law360* round-up titled, “Lawyers Weigh In On High Court’s Offensive-TM Ruling.” The piece offers attorney reactions to the U.S. Supreme Court ruling in *Matal v. Tam*, finding that the federal government’s ban on offensive-trademark registrations violates the First Amendment.

Mathes commented:

The purpose of the Trademark Register is to reflect marketplace reality and provide notice of marks in actual commercial use. As the Federal Circuit has stated, ‘[T]he PTO’s role is to protect owners of trademarks by allowing them to register their marks. Denial of registration does not deny the owner the right to use the mark, and thus, will not serve to protect the public from confusion.’ The USPTO should not be the morality police, and the Supreme Court’s ruling allows these brands to reap the benefits of registration.

To read the full article (subscription required), please click [here](#).

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