

News & Insights

Marsha Gentner Quoted in *World Trademark Review* and *World IP Review*

Dykema Trademark Attorney Offers Insight Into TTAB Decision That Six Washington Redskins Trademark Registrations Should be Cancelled

June 19, 2014

Marsha G. Gentner, Washington, D.C.-based attorney in the Firm's Intellectual Property Group whose practice focuses on trademark, technology and copyright law, was quoted in two highly-respected IP industry publications—*World Trademark Review* and *World Intellectual Property Review*—in June 19, 2014 articles dealing with the decision by the United States Patent and Trademark Office (USPTO) and its Trademark Trial and Appeal Board (TTAB) that six of the Washington Redskins trademark registrations should be cancelled.

In the *World Trademark Review* story, "United States – Redskins Decision Sparks Eruption of Hyperbole and Misinformation," Gentner provides useful context for what this decision truly means, even as many news media were found—in the hours immediately following this announcement—to mischaracterize the decision and to offer commentary that falls short of reflecting the nuances of trademark law.

"From a legal perspective," she notes, "the impact of the decision is somewhat narrow. The TTAB only decides issues regarding federal registrations. Thus, while the TTAB ordered that all of the REDSKINS registrations be cancelled, it did not 'cancel' the Washington team's rights in REDSKINS as a trademark, or, by and large, the team's ability to enforce those rights under state, common law and even the (federal) Lanham Trademark Act."

In the *World Intellectual Property Review* article, "Lawyers Clash Over Impact of Redskins Ruling," Gentner reaffirms the point made in the WTR piece: that this decision and its impact is "somewhat narrow" from a legal perspective.

However, Gentner adds that the TTAB decision could influence the way others think. "I can't imagine that a decision by a federal judicial panel that 'redskins' is, and for almost half a century has been considered to be, a disparaging racial slur to Native Americans... will not have a significant impact in the court of public opinion."

To read the *World Trademark Review* story in its entirety, [click here](#). To read the *World Intellectual Property Review* article in its entirety, [click here](#).

Attorneys

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Practice Areas

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