

Jason Bloom in World IP Review: US Supreme Court to Hear Arguments Over 'Scandalous' TMs

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World Intellectual Property Review quoted Haynes Boone Partner [Jason Bloom](#) in an article about a U.S. Supreme Court case that will decide whether the disparagement clause, which prohibits registration of trademarks covering “immoral, deceptive, or scandalous matter,” violates the First Amendment.

Here is an excerpt:

The US Supreme Court will today, April 15, hear arguments over whether it should permit the registration of “scandalous” or profane trademarks, a move which critics say would be unconstitutional.

The case, *Iancu v Brunetti*, is an appeal from the US Court of Appeals for the Federal Circuit which in 2017 overturned a decision of the Trademark Trial and Appeal Board (TTAB) and approved registration for the ‘Fuct’ mark.

Jason Bloom, partner at Haynes Boone in Dallas, said that he expects the Supreme Court to find the disparagement clause unconstitutional. “I think the first amendment concerns far outweigh any concerns of the trademark office,” he said.

“Certainly, different policy arguments can be advanced for banning registration of immoral as opposed to disparaging marks, but I still don’t think there is any justification for this type of government regulation of speech, especially with such subjective and amorphous concepts as immorality and scandal,” Bloom added.

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