

## Theresa Conduah Discusses Juneteenth-Themed Ice Cream With Law360

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**PRACTICES** Intellectual Property, Patents, Trademark and Advertising

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[Theresa Conduah](#), a partner in Haynes Boone's Intellectual Property Practice Group, was quoted in a *Law360* analysis article titled "'Juneteenth' Ice Cream Stirs Up Familiar Trademark Debate." Read an excerpt below:

Criticism over Walmart's promotion of a Juneteenth-themed ice cream forced the retailer to pull the product from shelves, and while some attorneys have raised concerns over companies trying to lay claim to trademarks linked to the new federal holiday, most say there are effective ways to filter out opportunistic applicants.

Walmart came under fire last month for selling swirled red velvet and cheesecake ice cream with a Juneteenth-themed label under its Great Value brand ahead of the June 19 holiday, which was signed into law last year to commemorate the end of slavery in the U.S. ...

Given the complicated history behind the holiday, the USPTO could consider requiring that Juneteenth be disclaimed when used in connection with certain goods and services, according to Theresa Conduah of Haynes Boone.

Disclaimers are statements that an applicant doesn't claim exclusive rights to a portion of a trademark and are typically required for descriptive terms. The office has at times required disclaimers for holidays like Christmas and Fourth of July, including for a "Great America Christmas" trademark and "Macy's 4th of July Fireworks" trademark, according to Conduah.

"This might be an opportunity for the Trademark Office to consider doing the same for Juneteenth marks, given the history and complicated issues behind the term," Conduah said.

To read the full *Law360* article, click [here](#).