

Theresa Conduah in Bloomberg Law: 'Racial Justice Movements, New Law to Push 2021 Trademark Changes'

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Haynes Boone Partner [Theresa Conduah](#) talked with *Bloomberg Law* about how social justice movements may spur some of the most compelling trademark storylines in 2021.

Here is an excerpt:

The rebranding of Washington's NFL franchise and Cleveland's major league baseball team headline a broader shift of brands distancing themselves from what are seen as racist caricatures and references.

That leaves trademark practitioners to consider when and how to transition to new marks, and how to handle legacy ones. They also must figure out how to deal with trademark squatters trying to corner valuable registry real estate.

Other practitioners raised questions about what happens to problematic brands like Aunt Jemima and Uncle Ben's that are cast aside. Trademark rights are defined by use; severing use of the mark severs rights. But companies also don't want newcomers to revive the brand and usurp their products' goodwill.

Most applicants for marks like "Aunt Jemima" may be squatters who'll find it difficult to develop rights of their own, trademark attorney Theresa Conduah of Haynes Boone said. But some of the original companies may still look to find limited, relatively obscure use of old marks to preserve rights and block newcomers, she said—while still keeping their distance. "It will be interesting to see how those marks are treated," Conduah said.

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