

## Jason Bloom on Removal of Controversial Chief Wahoo Logo

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February 1, 2018 Jason Bloom

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**PRACTICES** Trademark and Advertising, Intellectual Property

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Several news outlets quoted Haynes Boone Partner [Jason Bloom](#) in stories about the Cleveland Indians' recent announcement that they plan to retire their 'Chief Wahoo' logo on their uniforms. ...

The decision comes despite the US Supreme Court ruling in *Matal v Tam* that the government's ban on "disparaging" trademarks was unconstitutional, *World Intellectual Property Review* [reported](#). ...

Dallas-based Jason Bloom, partner at Haynes Boone, told *WIPR*: ... "The decision by the Cleveland Indians, post-*Tam*, to largely discontinue use of the Chief Wahoo mark, shows that market forces and sound business judgement will still be the primary driver behind companies' decisions to use or discontinue potentially offensive marks."

Although registering a potentially offensive trademark may now be easier, Bloom said it is likely that more US sporting teams will start to phase out such logos, as offending a fan-base could lead to a loss in sales. ...

*Bloomberg BNA* [reported](#) that the team still holds at least six active federal trademark registrations that include depictions of Chief Wahoo, and the logo will continue to appear on licensed merchandise. ...

However, the team's decision shows that the Supreme Court's ruling last year in *Matal v. Tam* barring the Patent and Trademark Office from denying trademark registrations to disparaging names or images isn't making offensive trademarks more common, Jason Bloom, a trademark lawyer with Haynes & Boone, Dallas, told *Bloomberg Law*. ...

"Teams and companies are really going to look to what is good business, and here it makes good business sense to stop using a trademark that is offensive to some segment of your fanbase," Bloom said. ...

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

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