

David Bell in Reuters: Supreme Court Opens Door to Vulgar Trademarks

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Applicants wasted no time in trying to register racial slurs and a swastika as trademarks immediately after the U.S. Supreme Court on June 19 struck down a federal law prohibiting disparaging trademarks. And Haynes Boone Partner [David Bell](#) told [Reuters](#) that more requests to register vulgar and offensive terms could follow.

"We're now opening the door, chipping away at what's acceptable under cultural norms," he said. "I think it could be a slippery slope, where you get more people and companies thinking, 'This is okay.'"

In a story also published by *The New York Times* and other news outlets, Reuters reported that at least nine applications have been filed with the U.S. Patent and Trademark Office since the unanimous Supreme Court ruling in *Matal v. Tam*: seven for versions of the N-word; one for an epithet for people of Chinese descent; and one for a swastika symbol, the emblem of the German Nazi party.

Reuters said the agency used to reject similar filings that included material denigrating an identifiable group of persons. But, in a case involving The Slants, an Asian-American band based in Portland, Oregon, the high court said that a prohibition in the Lanham Act against registration of disparaging trademarks violated constitutional free-speech rights.

Bell did say it's unlikely that many hate groups will use the ruling to further their agenda, Reuters reported.

"Might the (Ku Klux Klan) or neo-Nazi groups start doing it more? They might, but I don't think trademark filings are high on their radar," he said.

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

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