

## Victor K. Salazar in INTA: 'United States: Strongholds and Followers Decision Follows Precedent'

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July 8, 2022

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**PRACTICES** Intellectual Property, Trademark Prosecution, Trademark and Advertising, Trademark Litigation, Intellectual Property Litigation

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**Victor K. Salazar\*** authored an article in the *International Trademark Association (INTA) Bulletin* about upholding precedents made by the Trademark Trial and Appeal Board. Read an excerpt below:

In *In re MCDM Productions, LLC*, 2022 U.S.P.Q.2d 227 (TTAB 2022), the Trademark Trial and Appeal Board (TTAB) reaffirmed longstanding precedent that the title of a single creative work cannot be registered as a trademark.

Applicant MCDM Productions (MCDM) sought registration for the mark STRONGHOLDS & FOLLOWERS in standard characters for “role playing equipment in the nature of game book manuals,” Serial No. 90328783. The United States Patent and Trademark Office (USPTO) refused registration, finding the mark merely served as the title of a single creative work. MCDM appealed to the TTAB.

In its March 8, 2022, opinion, the TTAB affirmed the USPTO refusal for several reasons. First, analyzing MCDM’s specimen of use, a picture of its game manual, the TTAB observed that STRONGHOLDS & FOLLOWERS was prominently displayed at the top of the manual’s cover, and there were no other literal elements suggesting it was anything but the title. Further, consumer reviews of record stated the manual was “a book.”

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

\* *Victor is a summer associate and is not licensed to practice law.*