



## MarkIt to Market® - October 2016

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The October 2016 issue of Sterne Kessler's [MarkIt to Market®](#) newsletter provides an update on the Redskins trademark case, discusses a recent TTAB ruling regarding ownership of families of marks, and announces the new gTLD sunrise periods.

Sterne Kessler's [Trademark, Advertising, and Anti-Counterfeiting practice](#) is designed to help meet the intellectual property needs of companies interested in developing and maintaining strong brands around the world. For more information, please contact [Monica Riva Talley](#) or [Tracy-Gene G. Durkin](#).

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### What's Happening with the Redskins Case?

By: [Dana Justus](#)

For the past few years, the first question us trademark lawyers get asked at cocktail parties is, "What's going to happen to the REDSKINS trademark?" - and now lawyers and football enthusiasts will have to wait until at least 2017 for the final answer.

In October 2015, the Redskins appealed the Eastern District of Virginia's ruling that the REDSKINS federal trademark registrations violate Section 2(a) of the Lanham Act - which prohibits the registration of marks deemed to be disparaging. The appeal is currently pending before the U.S. Court of Appeals for the Fourth Circuit.

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### Choosing Owner Entities WISELY

By: [Shana Olson](#)

In a recent precedential decision, the TTAB clarified whether a party filing an Opposition is entitled to allege a family of marks as a basis for a Section 2(d) claim when those marks are not all owned by a single legal entity.

In the case of *Wise F&I, LLC et. al. v. Allstate Insurance Company*, the Opposers own the following family of marks, which "collectively identify services including automotive finance, insurance, and warranty services, and identity theft insurance":

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### gTLD Sunrise Periods Now Open

As first reported in our December 2013 newsletter, the first new generic top-level domains (gTLDs, the group of letters after the "dot" in a domain name) have launched their "Sunrise" registration periods. Please contact us or see our [December 2013 newsletter](#) for information as to what the Sunrise Period is, and how to become eligible to register a domain name under one of the new gTLDs during this period.

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