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ARTICLE

TTAB Clarifies Allegation Time Period for Dilution Claims

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This article discusses the precedential decision issued by the Trademark Trial and Appeal Board (TTAB) in *Omega SA v Alpha Phi Omega*. The TTAB provided clarification concerning at what point in time a plaintiff must establish fame of its mark in order to support a claim of dilution by blurring in a TTAB proceeding. The result was that, for purposes of defending against a claim of dilution, an Applicant can rely on its historical use of the applied-for mark in connection with goods or services other than those identified in the Application.

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