

Partner Floyd Mandell Quoted in Law 360 Article About Tech Cases to Watch in 2015

January 2, 2015

The Australian courts have ruled that "app" is a generic term, refusing Apple's attempt to register it as a trademark. Floyd Mandell, national co-head of Intellectual Property and Trademarks and co-head of Trademarks and Trademark Litigation, told Law360, "We're not bound by what Australia does, but is this something that U.S. courts—if someone is willing to take them on—will find? A descriptive term can gain secondary meaning and become incontestable, but a generic term falls into the public domain—there are many marks in our history that used to be trademarks and now are in the public domain." Floyd added, "Whether the term is a valid trademark or generic term is of significance to trademark practitioners and anyone in the business of 'apps.'" ("[Technology Cases to Watch In 2015](#)," January 2, 2015)

CONTACTS

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