Floyd Mandell Comments on Comparison of Recent Trademark Decision to License Plates

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Floyd Mandell, national co-chair of Katten's Intellectual Property department and co-head of the Trademarks and Trademark Litigation practice, commented on the US District Court for the Eastern District of Virginia's decision to uphold an earlier decision to cancel the Washington Redskins trademark registrations. As an analogy, Judge Gerald Bruce Lee cited *Walker v. Texas Division, Sons of Confederate Veterans Inc.*, a US Supreme Court decision that found license plates constitute protected government speech. Floyd stated that while a vanity license plate can convey a driver's beliefs or support for a cause, a trademark's function is to convey the source of origin for a product or service. "While trademarks serve different functions than messages on license plates, the analogy to the Texas license plate case can be made as far as the free speech argument," he said. Floyd is a IP Law360 Voices of the Bar panelist who weighs in on emerging issues in the intellectual property arena. ("Should Trademarks and License Plates Be Treated the Same?" July 17, 2015)

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