

In The News

Akerman Lawyers Author Article in *IP Today* on Punctuation Trademarks

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Ira Sacks, Mark S. Lafayette, and Patricia M. Carlson co-authored an article titled, “Applying for a U.S. Trademark Registration: Punctuation Matters(?),” in *IP Today*. Their article describes whether the use of punctuation – such as periods or exclamation points – are legally and factually relevant during the U.S. Trademark Application process by examining well-known brands, including NABISCO’s “Chips Ahoy!” and Frito Lay, Inc.’s “BAKED! Ruffles,” registered with the U.S. Trademark Office.

“It is not uncommon for a trademark owner to apply for and/or obtain a U.S. Trademark Registration for a trademark without any punctuation even though it intends to use or is using the trademark in commerce with punctuation... It is only under very limited circumstances - when punctuation changes the commercial impression of the mark - where the failure to include punctuation as part of the applied-for mark in a U.S. Trademark Application could result in the rejection of the application.”

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