

Pto rejects bitcoin trademark request



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The United States Patent and Trademark Office (PTO) has turned down a patent application for a Bitcoin trademark that was requested by the Urban Trend LLC.

This was a part of a pre-determined judgement once Urban Trend, the Californian household product company, were unable to submit an answer to Russ Smith, the owner of the Atlantic City Bitcoin and the person who opposed the patent in the first place. Smith is also in charge of the LLC and HELP. ORG LLC.

According to the application the oppose Smith is the registered owner of the trademark “Milly Bitcoin”. Not surprisingly, Urban Trend was accused by Smith of fraudulence during the course of submitting their application for registration of the “Bitcoin” trademark.

Given the other monumental problems that the Bitcoin community is suffering from, such a dispute was not needed at this moment in time.

The following are the terms of the motion. “Defendant [Urban Trend LLC] replied to an office action requesting the significance of BITCOIN to the application.

“Defendant replied that BITCOIN had no significance. Defendant failed to describe that “BITCOIN” merely describes a characteristic of applicant’s goods. Namely “BITCOIN” referred to the fact that the items would be labelled as logos referring to the Bitcoin currency.”

In short, the motion pretty much eliminated Urban Trend’s bit to pursue the “Bitcoin” trademark. Another thing that Smith highlighted in his motion was

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the striking similarities in the business nature between his company and that of Urban Trend.

In his opinion, this will only serve to create further confusion among customers when they decide to approach either one of the companies.

Once the opposition notified the PTO, the governing body sent out directives to both the parties asking them to submit a response by a specified date, which in this case was January 26th 2015.

The defendant was unable to come up with any answer whatsoever, and thus the accusations were sustained against the defendant.

As to whether there was a lack of awareness about the accusations, the defendant was well informed about the situation and the arguments of the opposing Smith. Since the defendant failed to respond, it opened up a window of opportunity for Smith to place a request for a default judgement in his favour. This was the action that eventually led to the final verdict for the dispute.

Trademarking of Bitcoin has been going on for quite some time in the industry, and is surely not a new concept among the current pursuers. Reports suggest that a minimum of 35 marks with the word Bitcoin exist in the United States alone.

On the other hand, the idea of trademarking the digital currency has been deemed not so ideal by the unofficial Bitcoin advocacy group which states, “ It is a generic term like the terms used for other currencies such as “ dollar”,

“ euro,” “ yen,” etc. The Foundation is committed to doing what it can to protect the term “ BITCOIN” for public use”.