

Ron Rothstein Comments on Glenview Park District's Trademark Challenge of NCAA

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Winston & Strawn partner Ron Rothstein was quoted in the *Chicago Tribune* article "[Glenview Park District Challenges NCAA on Trademark](#)" regarding his representation of Glenview Park District in a complaint with the U.S. Patent and Trademark Office (USPTO).

The park district has taken issue with the National Collegiate Athletic Association's marketing phrase "Experience It Live," claiming it is too similar to its own "Experience It" trademark. The NCAA's trademark registration for "Experience It Live" was rejected because it would likely be confused with the park district's trademark, but the USPTO allowed the NCAA to use the trademark unless an organization opposed it, Mr. Rothstein said.

"(Glenview Park District) applied for and received a federal trademark registration for 'Experience It' for the goods and services they directly offer," Mr. Rothstein said. "If you use and get an official trademark registration and someone else comes along and sells goods and services that overlap, it makes sense to protect those rights."

Mr. Rothstein noted the appeal board review is not a court hearing, but rather a hearing in a trademark opposition proceeding. The Trademark Trial and Appeal Board allows for any party to file a notice of opposition to another party's use of a given trademark.

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