

Britt Anderson Quoted in Law360—USPTO Update Brings Consistency To Genericness Standard

Partner Britt Anderson was quoted in "[USPTO Update Brings Consistency To Genericness Standard](#)," an article by *Law360*,* regarding the U.S. Patent and Trademark Office updating the standards for rejecting trademarks.

Moving forward, examiners can gather evidence of genericness without needing to weigh the evidence at the higher standard, a change that allows examiners a "more direct path of refusal" of applications to register generic marks, according to Britt L. Anderson.

This means that applicants and attorneys who handle their applications should prepare to respond to refusals based on genericness "with the understanding that deeper analysis of competitor usage and consumer understanding may be required, rather than simply asserting in response to refusals that the USPTO cannot meet a higher legal standard," Britt said.

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