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Practice Areas

Entertainment, Media and
Publishing
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Business Formation and
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Private Companies and
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Ask The Expert - Mass High Tech

I see “Super Bowl” parties and “March Madness” sales advertised all of the time. Is there any harm in capitalizing on well-known events to help market my own products?

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The NFL, NCAA and other organizations like them are serious about protecting their trademarks. If you think that they cannot be troubled by small-scale infringements of this sort, think again. This past February, the NFL made headlines when it sent a cease and desist letter to a church group that advertised its Super Bowl party and intent to charge admission. The letter inspired several church groups around the country to curtail similarly planned activities. Before your business sinks resources into a marketing campaign designed to piggy-back off of the notoriety of a well-known name or event, consider what effect a friendly reminder (or not-so-friendly cease and desist letter) from the rights holder would have on your plans.