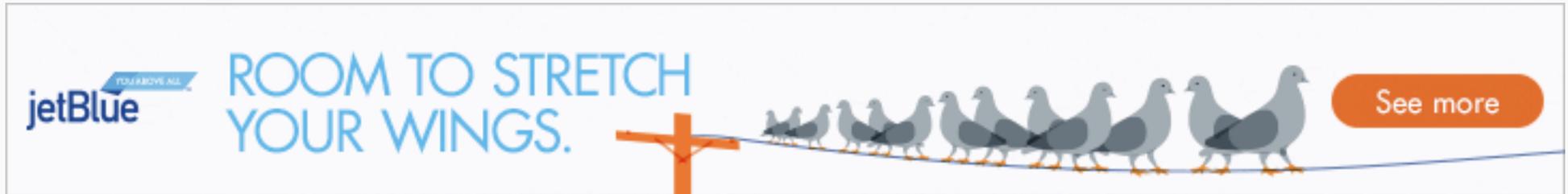




LEGAL NOTICES



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Feds Deny Attempts to Trademark 'Boston Strong'



A soldier in the National Guard with a "Boston Strong" flag cheers on runners as they finish the 2014 Boston Marathon. *Credit: (Andrew Burton/Getty Images)*

By Matt Rocheleau

Boston.com Staff

APRIL 21, 2014 3:08 PM

The US Patent and Trademark Office has rejected numerous attempts by businesses and individuals to trademark the phrase “Boston Strong.”

Samuel Adams beer-maker Boston Beer Company was among those that [filed an application](#) to trademark the slogan soon after last year’s tragedy. The company has said that it wanted to rename its official race beer after “Boston Strong” to help boost the drink’s proceeds, all of which were donated last year to charities that support bombing victims and their families. The company has pledged to do the same for profits from its marathon beer this year.

But, the federal office that oversees trademarks refused Boston Beer Co.’s request, citing prior legal cases and quoting Globe and other media coverage.



“On April 15, 2013, a bombing occurred at the Boston Marathon that resulted in 3 deaths and more than 260 persons being injured. Following that event, the motto or slogan, ‘BOSTON STRONG,’ emerged, representing ‘a proud mix of resiliency and defiance, an attitude rooted in local culture,’” the patent and trademark office wrote in its decision last summer. “The slogan represented ‘the victims of the bombing, now rebuilding their lives; the law enforcement efforts during the manhunt; the decision, by athletes and organizers, to run the Marathon in 2014.’”

“It ‘began in the immediate aftermath of the marathon bombing havoc as

nothing but good intention to unify the city and the relief effort,'" the office continued. "Subsequently, use of the phrase spread 'beyond fundraising,' and appeared 'plastered on t-shirts, bracelets,' and 'sports fans took it over as a rallying cry.'"

"It has resulted in a Facebook website; is used by the Boston Red Sox baseball club; appears on shoelace medallions; was the name of a concert in support of the marathon bombing victims; is the title of a planned movie about the marathon bombing; and appears emblazoned across the front of t-shirts provided by numerous different entities," the decision said. "The use of the slogan is so widespread with respect to the marathon bombing as well as other uses, that its use has become 'ubiquitous.'"

The federal office has sent similar, if not identical, denial letters in response to at least nine other attempts to trademark "Boston Strong," according to online filings.

Those seeking to trademark the slogan have included: a Vermont-base entity called "Boston Strong BostonStrong.com LLC"; Meahuna Coffee based in Tewksbury; New England Tea & Coffee Co., Inc. based in Malden;

Woburn-based apparel company Born Into It, Inc.; Cathedral Art Metal Co., Inc. in Providence; and three individuals — one from Brockton, one from Connecticut and another from Florida, records show.

An individual in Allston also filed an application to trademark the slogan but rescinded it before the federal office issued a ruling, records show.

“Determining whether a term or slogan functions as a trademark or service mark depends on how it would be perceived by the relevant public,” the office told applicants. “The applied-for mark merely conveys an informational social, political, religious, or similar kind of message; it does not function as a trademark or service mark to indicate the source of applicant’s goods and/or services and to identify and distinguish them from others.”

[ESPN Boston](#) previously reported on the U.S. Patent and Trademark Office’s denial of “Boston Strong” trademark attempts.

Matt Rocheleau can be reached at matthew.rocheleau@globe.com. Follow him on Twitter [@mrochele](#).



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Three people were shot at KC's Pub on River Street in Fitchburg after midnight Saturday, NECN reports.

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Genetically modified foods have been around for years, but most people in the United States have no idea if they are eating them.

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Vt. Sex Offender Faces Sentencing in Niece's Killing

A convicted sex offender who killed his 12-year-old niece after luring her to his house with a ruse about a pool party is due to be formally sentenced to life without the possibility of parole.

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Hike with Caution at White Mountains

Campgrounds in New Hampshire's White Mountain National Forest are open, but the Forest Service is warning people that some areas still have snow, and spring melt-off can lead to some slippery footing.

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Will Connecticut Schools Ban Chocolate Milk?

Connecticut lawmakers moved forward this week on a new nutrition bill that could remove chocolate milk from public schools.

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Lacrosse Team Honors Fallen Officer and Coach

The girls lacrosse team at Exeter High School is honoring their late coach



Stephen Arkell, a New Hampshire police officer who was killed in the line of duty.

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Celebrating 10 Years of Gay Marriage

On May 17, 2004, Massachusetts offered the first marriage licenses to same-sex couples. We asked five couples to talk about what they've learned about themselves and their relationships over the past decade.

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10 Parting Shots at SNL Heading Into The Season Finale

Here are "10 Parting Shots at SNL" as the show's 39th season comes to a close



Saturday night with Andy Samberg as host.

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Environmentalists in Portland Oppose Tar Sands Oil

Environmentalists will rally at the Deering Oaks Park bandshell in Portland to oppose the Keystone XL oil pipeline and the shipping of tar sands oil through Maine.

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Broke Beats: F.Stokes – ‘Liquor Sto’ Diaries’

Broke Beats is BDCwire’s open-source hip-hop column. Every Saturday, we showcase the best new albums, EPs, and mixtapes available for free stream or download. The Midwest has long been a stronghold for spirited rappers and producers who haven’t quite pierced the East Coast market. F.Stokes is among the most fearless of these artists, and the... [Read more »](#)

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Oprah’s Network Postpones Sam Documentary

The planned documentary by the Oprah Winfrey Network on Michael Sam, the NFL's first openly gay player, has been postponed.

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Woman Falls Down Elevator Shaft at Fenway Park

A 22-year-old woman is hospitalized after falling down an elevator shaft at Fenway Park Friday during a Red Sox game, according to the Boston Fire Department.

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Obama, Congress Move to Address Veterans Affairs Firestorm

The Obama administration and Congress are moving quickly to respond to a growing political firestorm over allegations of treatment delays and falsified records at veterans hospitals nationwide.

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Conn. Exhibit Looks at Benedict Arnold as Hero

A new exhibit on display at the Slater Memorial Museum is the latest effort to bring heightened visibility to a subject Norwich has deliberately ignored for centuries.

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Testing Inconclusive, Suspected Bobcat Returned

A judge has returned a 38-pound feline to a New Jersey woman after DNA testing couldn't conclusively say whether it was a purebred bobcat.

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Clearing This Afternoon with Sunshine for Sunday

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Nissan's Taxi of Tomorrow Hoping for a Fare Future

Members of the New England Motor Press Association had the dual experiences of driving and riding in this Taxi of Tomorrow when Nissan brought a pair of the hackney versions of its NV200 van to town.

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Teen's Arm Reattached After Pasta Accident

Four surgeries later, 17-year-old Brett Bouchard can move his arm after it was severed below the elbow.

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Red Sox Fall to Tigers, 1-0, Back Under .500



The loss drops the Sox back below .500, at 20-21, and 10-12 at home.

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North Reading Man Busted Allegedly Selling Drugs Out of Restaurant

Richard "Ricky" Ward faces a number of drug charges following a six-month investigation by police.

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Feds Deny Tsarnaev Lawyers' Complaint About Leaks

Federal prosecutors say there's no need for a hearing on what defense attorneys have called leaks and improper comments in the case of Boston Marathon bombing suspect Dzhokhar Tsarnaev.

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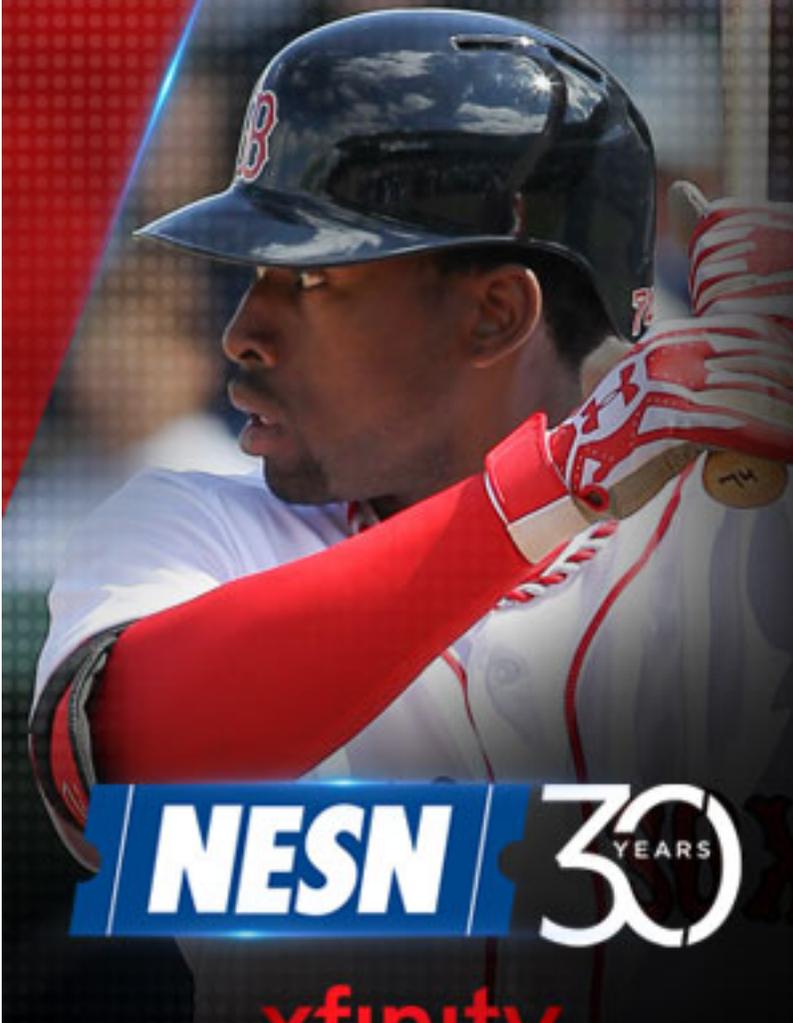


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TIGERS AT RED SOX

TONIGHT 6^P_{ET}



NESN 30 YEARS

