

# **# blacklivesmatter**

**... a hashtag, a rallying cry, a social movement, a global network**

**... but not a trademark**

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**An Analysis of Trademark  
Protection for the Well-Turned  
Phrase of a Social Movement  
(Slogans, Taglines, Mottoes and Hashtags)**

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<https://www.flickr.com/photos/otto-yamamoto/15305646874/>



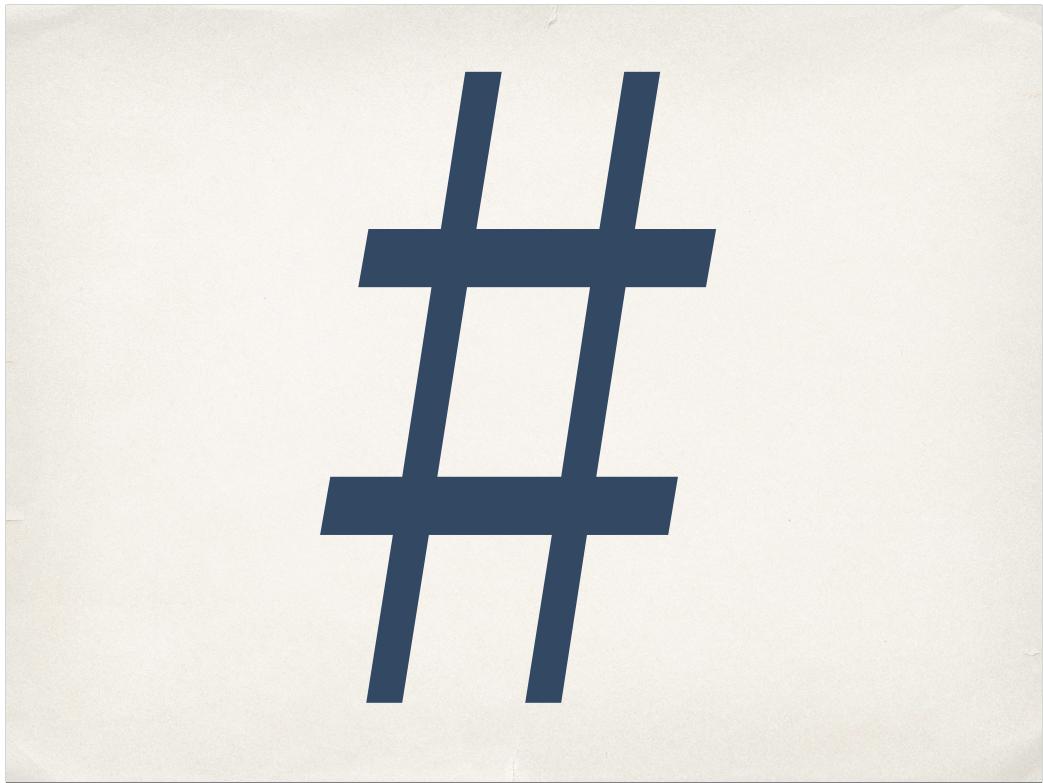






Glasgow Bridge, Glasgow Scotland

Get our historical bearings - 16th century Scotland for the origin of the word slogan, which means battle-cry





<https://www.publicdomainpictures.net/pictures/260000/velka/networking-social-media-icons.jpg>





[http://www.publicdomainfiles.com/show\\_file.php?id=13925390414991](http://www.publicdomainfiles.com/show_file.php?id=13925390414991)

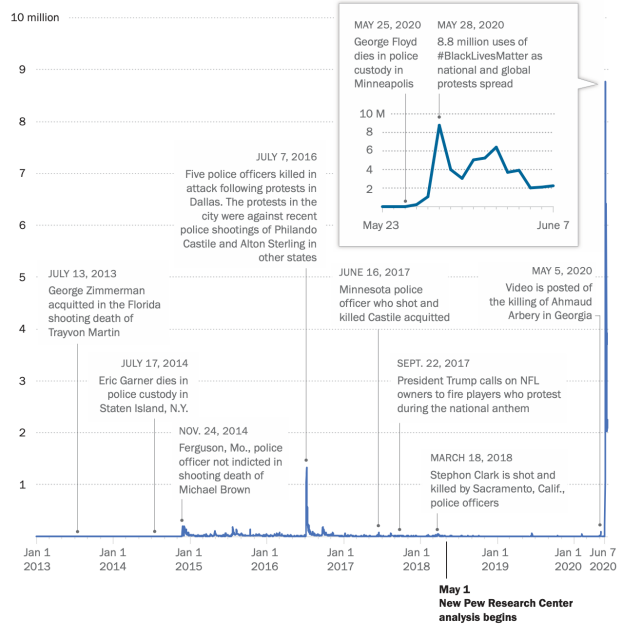


<https://www.azmirror.com/2020/06/02/say-his-name-george-floyd-he-was-a-human-being/>

Mauerpark, Berlin

Use of the #BlackLivesMatter hashtag hits record levels amid global protests over George Floyd's death while in police custody

Number of public Twitter posts mentioning the #BlackLivesMatter hashtag, Jan. 1, 2013-June 7, 2020



Source: Pew Research Center analysis of publicly available tweets using Crimson Hexagon. Data for Jan. 1, 2013-May 1, 2018 collected in June 2018; data for May 1, 2018-June 7, 2020 collected in June 2020. The latter data collection phase was used for May 1, 2018.

PEW RESEARCH CENTER





distinctive

source indicator

64%

7 / 17

# Widely Used Messages

info about goods  
commonly used  
religious

ordinary or familiar



SHOW ME  
THE  
MONEY

2020

\$90 million

BlackLivesMatter



\$1.678

Corporate donations to relevant organizations

# secondary meaning

Burgunder - reject ITU applications, must have secondary meaning as a source indicator

Publicity rights - only person who started it

Roberts - tagmarks, also need secondary meaning,

Categorized as a “merely a hashtag” until meaning



CRT-IP

collective mark

Provisional hashtag mark

Revise procedures

Cultural appropriation

ordinary or familiar

# Dilution

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