



Archer Intellectual Property Group Named Group of the Year

Press Releases

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Haddonfield, N.J. (Feb. 19, 2018) – Archer Law’s Intellectual Property Group has been named “IP Group of the Year” by Law360 for the firm’s role in a groundbreaking U.S. Supreme Court trademark case decided last year.

Archer was awarded for successfully persuading the Court to rule unanimously that the federal government’s ban on offensive trademark registrations was unconstitutional, Law360 said in announcing the award.

Matal v. Tam was one of the most important cases considered by the U.S. Supreme Court last term. The Court’s decision is expected to have far-reaching effects on the government’s involvement in and regulation of trademark registration. One prominent case in particular, involving the PTO’s decision to revoke the trademark of the Washington Redskins football team, has already been impacted directly by the Court’s decision.

Archer successfully represented Simon Tam, lead singer of the Asian dance-rock band THE SLANTS, who sought and was denied federal registration of the band name by the U.S. Patent and Trademark Office (PTO) in 2011. The PTO based its denial on a Lanham Act provision from 1946 that prohibited registration of disparaging trademarks. Tam took the case to federal court in 2015, arguing that the Lanham Act’s disparagement clause violated the First Amendment. Following an *en banc* Federal Circuit Court decision in 2016 that the disparagement clause was unconstitutional, the PTO appealed the case, petitioning in 2016 for a writ of *certiorari*.

Archer represented Tam and argued the case before the U.S. Supreme Court in January 2017, defending the Federal Circuit’s decision. On June 19, the Supreme Court affirmed in an 8-0 decision that Tam’s trademark was a form of free speech and thus was protected under the First Amendment. Archer provided *pro bono* legal services to THE SLANTS since spring of 2015.

John C. Connell, who heads the firm’s Archer’s Media & Communications Law and Appellate Advocacy groups, argued the case, and has been named a Law360 “MVP” Intellectual Property for his role.

“We are honored by the awards and the notoriety the case has received, but are truly pleased with the Court’s decision and its ramifications for free speech,” Mr. Connell said.

Law360’s “Practice Group of the Year” award honors the law firms behind the litigation wins and major deals that resonated throughout the legal industry in the past year. Law360’s “MVPs” are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters.

Archer & Greiner P.C. is a full-service regional law firm with more than 180 lawyers and eight offices in Haddonfield, Hackensack, Princeton, Flemington and Red Bank, N.J.; Philadelphia, Pa.; New York, N.Y.; and Wilmington, Del. The firm has been serving Fortune 100 clients, small to medium-sized businesses and individuals for more than 90 years. Each office provides full-service litigation and transactional capabilities in nearly every area of law, including corporate, estate & trust, family & matrimonial, labor & employment, litigation, medical & personal injury, and real estate services. For more information, visit www.archerlaw.com.

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