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Isaac M. O'Bannon • Jun. 18, 2014



The Washington Redskins have been losing the public opinion battle regarding their name, and the latest event is likely to hurt their financials, as well.

On Wednesday morning, the United States Patent and Trademark Office ruled that it has canceled the team's trademark registrations that use the name Washington Redskins, stating that it is "disparaging to Native Americans."

The NFL team and its owner, Dan Snyder have been resisting efforts by many groups,

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in the 1960's.

The record establishes that, at a minimum, approximately thirty percent of Native Americans found the term REDSKINS used in connection with respondent's services to be disparaging at all times including 1967, 1972, 1974, 1978 and 1990. Section 2(a) prohibits registration of matter that disparages a substantial composite, which need not be a majority, of the referenced group. Thirty percent is without doubt a substantial composite. To determine otherwise means it is acceptable to subject to disparagement 1 out of every 3 individuals, or as in this case approximately 626,095 out of 1,878,285 in 1990. There is nothing in the Trademark Act, which expressly prohibits registration of disparaging terms, or in its legislative history, to permit that level of disparagement of a group and, therefore, we find this showing of thirty percent to be more than substantial.

Respondent has introduced evidence that some in the Native American community do not find the term "Redskin" disparaging when it is used in connection with professional football. While this may reveal differing opinions within the community, it does not negate the opinions of those who find it disparaging.

The case was *Blackhorse v. Pro-Football Inc.*, filed by Amanda Blackhorse. The full ruling [can be read here](#). (PDF)

"I am extremely happy that the [Board] ruled in our favor," Blackhorse said in a statement. "It is a great victory for Native Americans and for all Americans. We filed our petition eight years ago and it has been a tough battle ever since. I hope this ruling brings us a step closer to that inevitable day when the name of the Washington football team will be changed. The team's name is racist and derogatory. I've said it before and I will say it again – if people wouldn't dare call a

Native American a 'redskin' because they know it is offensive, how can an NFL

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