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Masters becomes pro with trips to trademark office

Loeb & Loeb attorney protects Heisman Trophy winner Robert Griffin III's nicknames and quotes

BY ROY STROM
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When Robert Griffin III described winning the Heisman Trophy as “unbelievably believable,” wore a T-shirt emblazoned with the phrase “no pressure no diamonds” and sported socks stitched with the words “go catch your dream,” it meant business for Douglas N. Masters.

Even the mere fact that the Washington Redskins rookie quarterback goes by the nickname “RGIII” put Masters to work.

Masters, a partner at Loeb & Loeb LLP, filed 14 trademarks for Griffin on those phrases, his nickname and other slogans, locking up the young NFL star's intellectual property and ensuring the business-savvy QB can cash in on his prominence as a font of motivational wisdom.

“If RGIII does a speech somewhere, that can create a lot of buzz,” Masters said. “As an athlete, because of who you are and the forums that you have — press conferences, television shows — you're in a position by doing very little to create something that has a lot of value and cache.”

Trademarking a nickname or a

slogan, which can cost about \$925 to \$1,325, means Griffin protects his personal brand when he inks deals with sponsors, Masters said.

When apparel company Adidas, for instance, sells T-shirts and socks with Griffin's quotes on them, he gets a piece of the pie and can keep the slogans for himself should his sponsorships ever change, Masters said.

While protecting slogans doesn't mark a new phenomenon — Masters also trademarked “float like a butterfly sting like a bee” for Muhammad Ali — he said the current generation of athletes takes a more active role in protecting their intellectual property.

He cited two reasons: Increased visibility from 24/7 sports networks and social media make athletes more quotable. And those quotes can turn into money easier thanks to the longer-term trend toward commercializing athletes.

“It creates this huge market and so obviously athletes see that and want to participate in that,” Masters said.

“And that didn't exist at the time Muhammad Ali was boxing.”

You don't need to think back too far to find examples of how quickly some of today's athletes rush to protect their trademarks.



Douglas N. Masters



Scott B. Zolke

Jeremy Lin, the former New York Knicks point guard and now with the Houston Rockets, who incited the “Linsanity” craze this year, trademarked the term just nine days after he scored 10 points in an NBA game for the first time in his career.

By comparison, Ali's famous third and final fight with Joe Frazier, known as the “Thrilla in Manila,” occurred Oct. 1, 1975. Twenty-four years later, in 1999, the bout's popular nickname got filed as a trademark, a search of the U.S. Patent and Trademark Office's website says.

Masters' work filing trademarks for athletes fits into a broader role Loeb & Loeb lawyers play building a brand name for athlete clients, said Scott B. Zolke, a Los Angeles-

based partner at the firm.

Determining what quip, nickname or logo to trademark starts with picking “unique and distinctive” traits that define the athlete, Zolke said.

For instance, Griffin played college football at Baylor University, “which nobody considers to be a factory” for NFL stars and he won the Heisman Trophy not as a season-long front-runner, but only after “bringing himself into the discussion,” Zolke said.

“He's highly disciplined,” Zolke said.

“So, let's use that high level of commitment and focus and the fact that nobody on the planet works harder than RGIII.”

Those ideas behind Griffin's brand equate to filing trademarks for him such as “work hard stay humble” and “dream big live bigger,” Zolke said.

Neerissa Coyle McGinn, a partner at Loeb & Loeb, said players also seem more quick to file trademarks for their own logos to distinguish their personal brand from the brand of their sponsor.

“I think that athletes now realize they're a business, and one of the most important parts of the business is your trademark,” she said.

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