

Jordan LaVine Quoted in Variety about Trademark Dispute Between Indigenous Producers

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A trademark battle is brewing between two Indigenous North American producers over the use of an Indigenous descriptor in their respective company names.

The dispute between Frisco, Texas-headquartered IndigiStudios — founded by actor Gary “Litefoot” Davis and Kelvin Redvers’ Vancouver-based IndigiFilm Media raises questions about the use and protection of cultural identity-based descriptors in corporate names.

Jordan Lavine, a Philadelphia-based intellectual property attorney with Flaster/Greenberg, notes that even though the U.S. Trademark and Patent Office has approved the mark for publication, it doesn’t oversee its enforcement.

“It is very challenging to claim exclusive rights in a descriptive term or abbreviation,” explains Lavine. The attorney gives the example of trademarks that begin with “enviro-.”

“There are innumerable products that exist that have trademarks that begin with the word ‘enviro-’ to suggest that they are environmentally conscious. And for that reason, no single trademark owner can really have exclusive rights in that prefix,” says Lavine. “I view this as being very similar. If Indigenous filmmakers are behind the productions put out by these companies, then it certainly has descriptive connotations.”

Read the entire article [here](#).

ATTORNEYS MENTIONED

Jordan LaVine