

# Mastering Trademark and Unfair Competition Law

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*Dedicated to—*

*My wife of 25 years, Barbara, my best friend and soul mate,  
the person in my life who helps me get things done; and our two wonderful  
daughters, Lindsey and Alison, who make our lives special and exciting*  
(lss)

*My favorite sister, usually-best friend, and often-worst-critic, Joan, and  
my favorite niece without any qualifications, Christina*

✧

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(lss & ljj)

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# Series Editor's Foreword

The Carolina Academic Press Mastering Series is designed to provide you with a tool that will enable you to easily and efficiently “master” the substance and content of law school courses. Throughout the series, the focus is on quality writing that makes legal concepts understandable. As a result, the series is designed to be easy to read and is not unduly cluttered with footnotes or cites to secondary sources.

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We hope that you will enjoy studying with, and learning from, the Mastering Series.

Russell L. Weaver  
Professor of Law & Distinguished University Scholar  
University of Louisville, Louis D. Brandeis School of Law

# Preface

Trademark law is one of the most exciting areas of legal practice. Modern businesses are increasingly aware of the value to their business of obtaining a strong trademark and ensuring effective trademark protection. Consumers view trademarks not only as indicators of source, origin, or sponsorship, but also as constituent building blocks of their social identity. This book covers the basics of state and federal trademark law and practice with a brief but solid introduction to the Madrid System and other fundamentals of international trademark law and practice. The authors intend to provide an overview that will be useful to both law students and non-trademark practitioners.

The authors would like to acknowledge the support of University of Louisville, Brandeis School of Law, the University of Toledo College of Law, and their colleagues. The authors would particularly like to thank Gordon Daniell, Esq., who worked closely with us over many months as the book took form, editing the text and helping prepare the roadmaps and checklists. The authors would also like to thank Barbara Nielsen for her invaluable editorial suggestions and willingness to read draft chapters on extremely short notice, and law students Leah Smith and Spencer Brooks for their hard work.

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