# Practice Areas

## Trade Dress

Trade dress, like trademark, can be used to protect almost anything that is capable of carrying meaning, including letters, numbers, two-dimensional designs and three-dimensional objects, sounds, scents, textures, shapes, colors, and combinations thereof. The indispensable prerequisite is that the trade dress (or trademark) uniquely indicate the source or origin of the product.

Trade dress can be registered with the federal Trademark Office, just as a trademark or service mark. For example, the distinctive shapes of the Coca-Cola and Pinch Scotch bottles are registered, as are Kodak's yellow and red color combination, and Wedgwood blue.

Some examples of visual designs which have been found to be protectable trade dress include:

- A restaurant’s special décor
- The colors and shapes of pharmaceutical pill capsules
- The overall look of a line of greeting cards
- Magazine covers
- The shape of buildings (White Castle restaurants, for example)
- The layout of point-of-sale displays
- Bottle shapes

The law of trade dress and the interpretation and analysis of the issues that arise in this area are complex and constantly evolving.

In such circumstances, you want experienced counsel at your side.


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