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Trademark Law and Franchising: Five of the Most Significant Developments

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Trademarks are at the very heart of franchising. Indeed, at the core of every franchising relationship is the license of a trademark. In addition to trademarks constituting a foundational element of the franchise relationship, trademark law has significantly shaped franchising, and continues to this day to shape franchising, including elements of the system that can be protected, how rights in those elements are enforced, and the remedies available if rights in those elements are found to be infringed. This article will explore five of the most significant trademark case law and legislative developments that have impacted, and will continue to impact, the protection and enforcement of trademark rights in the field of franchising since the enactment of the Lanham Act (Trademark Act of 1946).

Related People



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