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Thank you for reading the July 2023 issue of Sterne Kessler's Markt to Market® newsletter. This month, we continue our three-part series that closely examines ways to lose trademark rights with a discussion of genericide. We also provide a detailed examination of the recently enacted INFORM Act.

Our [Trademark & Brand Protection practice](#) here at Sterne Kessler is devoted to guiding companies of all sizes in developing and maintaining strong brands around the world. There is always something new and exciting happening in our unique IP niche, and we bring you updates each month to help you keep on top of it all. Thanks for your readership. If there is something you would like us to cover, please don't hesitate to reach out to us and let us know!

Kind Regards,

Monica Riva Talley
Editor

In This Issue:

> How to Lose a Mark in Three Ways – Part 2: Genericide

> INFORM Act: What Brands Need to Know

How to Lose a Mark in 3 Ways – Part 2: Genericide

By: Payton Miles and [Shana L. Olson](#)

One of the signs of a healthy trademark is a certain level of distinctiveness. Distinctiveness is related to consumers' love and recognition of a

mark as an indicator of a product's source, such that consumers trust the mark to distinguish one producer's products from those of another. Trademarks are usually classified into one of five levels of distinctiveness: (1) fanciful, (2) arbitrary, (3) suggestive, (4) descriptive, and (5) generic.

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INFORM Act: What Brands Need to Know

By: Jaspreet Momi and [Monica Riva Talley](#)

In today's digital world, online marketplaces have become hotspots for organized crime, particularly relating to the sale of stolen and counterfeit goods by third-party sellers. These fraudulent sales mislead consumers, cost brands millions per year in lost sales, lead to potential harm from counterfeit goods, and supply funds to criminal operations.

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