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Trademark case: Heritage Alliance v. American Policy Roundtable, USA

Saurabh Kashyap (Wolters Kluwer Legal & Regulatory US) · Thursday, May 8th, 2025

The Trademark Trial and Appeal Board (TTAB) correctly found opposer's mark highly descriptive, unsupported by sufficient evidence of acquired distinctiveness and ineligible for protection.

The U.S. Court of Appeals for the Federal Circuit affirmed a TTAB decision dismissing an opposition filed by Heritage Alliance and AFA Action, Inc. against American Policy Roundtable's (APR) application for registration of the marks "iVoters" and "iVoters.com" (both standard characters) for online political information services under International Class 35. The Federal Circuit found that while Heritage established priority of use, it failed to show that its own "iVoterGuide" and "iVoterGuide.com" marks were distinctive or had acquired distinctiveness under §2(d) of the Lanham Act. The court also upheld the Board's finding that APR had effectively conceded a likelihood of confusion, but concluded that Heritage could not block registration without demonstrating protectable rights in its prior marks (*Heritage Alliance v. American Policy Roundtable*, No. 24-1155 (Fed. Cir. Apr. 9, 2025)).

Case date: 09 April 2025

Case number: No. 24-1155

Court: United States Court of Appeals, Federal Circuit

A full summary of this case has been published on [Kluwer IP Law](#)

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