

## File extensions cannot be trademarks

Contributed by student  
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Autodesk, a company that produces a product called AutoCAD with a file extension ".dwg", wanted the United States District Court for the North District of California to extend trademark protection to the words "DWG". The Court decided not to do so because trademarks cannot be granted to products that are merely functional. Since the letters DWG were used through Autodesk's program by anyone had it the Court entered a judgment favoring Defendant. Their analysis was based solely on the functionality of the "would-be" trademark. If one concedes such a protection to three words that are used constantly by everyone, it would become a limitation to commerce, unnecessarily affecting a whole bunch of people.

When Court considered the "consumer confusion" (one of the pillars in trademark law) they decided that a file extension could not confuse people since it was conceived for computers to recognize the file and do whatever needs to be done with it. This argument presents the most interesting angle of Plaintiff's case. In modern days where we can all identify the following extensions: ".doc", ".docx", and ".pdf" with its corresponding program, is it true that they go beyond a mere computer command? Can they represent trademarks in the near future because of our confusion?

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