

TM

Trademark



Registered Trademark

Why trademark?

1. Protect our unique slogans and event names.
2. Prevent others from “trading on our goodwill.”
3. Giving appearance of Spanish Fork support or ownership.
4. Use TM to indicate trademark and intent to register.
5. Use ® after trademark has been registered.



Fanciful



Exxon

Arbitrary



Suggestive



Unacceptable

Descriptive: creamy yogurt
Generic: E-ticket

STRONG

WEAK



SLIM JIM

Wordmark [SLIM JIM](#)

Status **LIVE** **REGISTERED**

G & S: US 046: DRY SMOKED SAUSAGE, BEEF JE
VINEGAR PICKLED SAUSAGE, PICKLED PIGS KN
PIGS FEET, AND VINEGAR PICKLED EGGS].

Serial 72346805

Owners Conagra G&S Sub 1, LLC (LIMITED
LIABILITY COMPANY; DELAWARE,
USA)



SLIM JIM

Wordmark [SLIM JIM](#)

Status **LIVE** **REGISTERED**

Goods & services IC 020: Wastebaskets.

Class 020

Serial 73323001

Owners RUBBERMAID COMMERCIAL
PRODUCTS LLC (LIMITED LIABILITY
COMPANY; DELAWARE, USA)

SPANISH FORK
PRIDE & PROGRESS

No “likelihood of confusion” if they are different goods or services



Description	Cost
Registration fee	\$350
Legal fees for registration	\$800
Legal fees per round of argument (1 or 2)	\$1,500-\$3,000
Total initial costs per mark	\$2,650 - \$4,150
Maintenance (every 5 years)	\$1,000 - \$1,500



SPANISH FORK
PRIDE & PROGRESS

Trademarks



SPANISH FORK
PRIDE & PROGRESS



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PRIDE & PROGRESS

Trademarks

88TH ANNUAL DURANGO FIESTA DAYS
88 YEARS OF TRADITION, FUN AND RODEO

JULY 27-30, 2023
JULY 28 & 29 7PM, JULY 30 1PM
JULY 27 (TR) & 28 9AM SLACK
DURANGO, CO

NMRA SANCTION RODEO
PAFRA, GCPRA, UPRA,
CPRA, WPRA (BKA)
CO-SANCTIONING

**ADDED MONEY \$1500
PER EVENT**
TEAM ROPING \$3000
INCENTIVE TEAM ROPING \$1400,
RIBBON ROPING \$650

**PHIL BREVIK & MELVIN
HAGA MEMORIAL ROPING
FOLLOWING TEAM
ROPING JULY 27 @
BUFFALO'S ARENA**

**BUCKING B
RODEO**

More Information :
DURANGO FIESTA DAYS on FACEBOOK
email dursngofiestadays@outlook.com or
call 970-749-4960 or 505-860-7191

EVENTS
BAREBACK \$100
CALF ROPING \$111
BREAKAWAY \$111
MUTTON BUSTING \$25
STEER WRESTLING \$111
SADDLE BRONC \$100
RIBBON ROPING \$100
BARREL RACING \$84
JR BARREL RACING \$25
MIXED TEAM ROPING \$111
TEAM ROPING \$111
BULL RIDING \$100

NMRA CENTRAL ENTRIES
JLY 17TH 6-10PM
TIMED EVENTS 505-864-9426,
TR 505-864-7200,
R/S 505-864-9427
LOCAL ENTRIES
JULY 14TH 3-6PM
970-769-DAYZ (3299)

DURANGO



SPANISH FORK
PRIDE & PROGRESS

Often marks change



Tip: Register the words.

Slido: In general, is registering our trademarks worth the cost?

Slido: How much budget should we plan on?

- a. 1 mark \$5,000
- b. 2 marks \$10,000
- c. 3 marks \$15,000
- d. 4 marks \$20,000
- e. 5 marks \$25,000





How much budget should we plan on?

- ① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.

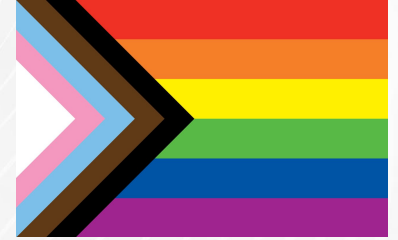




In general, is registering our trademarks worth the cost?

- ① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.



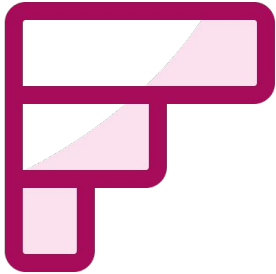


Progress Pride Flag, Daniel Quasar

Slido: Which slogans and events should we register? Please rank in order of importance.

1. Spanish Fork: Pride and Progress
2. Spanish Fork Fiesta Days
3. Spanish Fork Fiesta Days Rodeo (Spanish Fork Fiesta Days Rodeo joined the PRCA in 1942)
4. Wings and Wheels
5. fitcity
6. Others: Main Logo?





Which slogans and events should we register? Please rank in order of importance.

- ① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.



Social Media Use by Public Officials

1. Social Media is a useful tool
 - a. Official City accounts
 - b. Candidates
 - c. Community pages

2. Not all comments are positive
 - a. Contrary POV
 - b. Negative
 - c. Offensive
 - d. Obscene



Speaker Analysis

1. Is the Government speaking?
2. Official City communication
3. Communication from City official or employee in official capacity
 - a. According to policy, with knowledge, or according to custom
4. City official or employee in their personal capacity
 - a. “Under color of law”



Looking for good news about the economy.
Photo: AP, Ross D. Franklin



MAGA, Again?
Photo: Philadelphia Inquirer, Heather Khalifa



Getting the word out about Pride and Progress

“Under Color of Law” Analysis

Factors:

- a. Why was the account created?
 - i. CouncilmemberX@google.com
 - ii. www.voteforcandidateXspanishforkcouncil.org
- b. Used in individual’s official capacity?
- c. Account used as tool of governance?
 - i. Providing information to the public regarding official activities
 - ii. Soliciting public input on policy issues
 - iii. Trappings of official’s office -title, official images, handle includes title or city, linked to official pages, official contact info



Forum Analysis

1. Traditional Public Forum
 - a. Public streets and parks
2. Designated Public Forum (broad spectrum of expressive activity)
 - a. Public auditorium
 - b. Graffiti wall
3. Limited Public Forum - Council Chambers - open for
 - a. specific purpose
 - b. limited time
 - c. limited subject
4. Nonpublic Forum
 - a. Government proprietor (golf course)
 - b. Non-public portion of City offices



Social Media Use by Public Officials

- Phyllis Randall, Chair of Loudoun County Board of Trustees
 - Removed constituent from her facebook page
 - Page named “Chair Phyllis J. Randall”
 - Notified public of upcoming Loudoun Board meetings, and subjects to be discussed
 - Inform of important public safety issues
 - Invited public to participate in public boards and commissions
 - Invited public to public meetings
 - Revised floodplain zones and the Zika virus
- She invited public discourse and many constituents commented on the posts.
- Federal appeals court ruled that the page was a public forum, and ruled that blocking Davison, who began posting about alleged municipal corruption, “amounted to viewpoint discrimination”



Social Media Use by Public Officials

- Cheri Toalson Reisch, Missouri State legislator
 - Opened Twitter account when running for office
 - After elected used it to update on her work and accomplishments
 - Sporadic communication
 - Emphasized her suitability for public office
 - Akin to a campaign newsletter
- Prerogative to select her audience and present her page as she sees fit
- Private account
- Not a violation to block a constituent who retweeted criticism of her



Social Media Use by Public Officials

- What pages/accounts do you have?
- How do you use them? Do you:
 - Communicate upcoming meetings
 - Discuss important issues
 - Have your position on the page
 - City logo
 - City Councilmember or Mayor?



Social Media Use by Public Officials

- If account intentionally opened for public discourse and no limits set, courts will find a designated public forum (open for wide variety of expression)
- If content-based regulations are reasonable, viewpoint neutral, fits the parameters established, courts may find limited public forum



Social Media Use by Public Officials

- Example: Spanish Fork Parks and Recreation page (fictional)
 - News of programs
 - Signup instructions
 - Results of leagues/tournaments
 - Questions
- Public posts comments about horrible councilmember, poor snow plowing, or zoning for apartments
- Messages may be edited, screened, and curated for the purpose of the page BUT NOT
- Comment: “Parks & Rec focuses too much on sports. Not enough emphasis on the arts.”
- Why? Comment relates to the limited purpose public forum
- Tip: Clearly indicate this is a limited purpose forum for Parks and Recreation



Social Media Use by Public Officials

- **Tip:** Create Social Media Comments Policy on your account
- Prohibit unprotected speech (threats, obscenity)
- Subject matter limitations
- Prohibit links to third-party websites
- Prohibit solicitations/advertisements
- Remove comments that violate
- Block only repeat offenders
- Turn off comments if only one-way communication is desired




Spanish Fork City 1d · 🌐

❄️ Snow is in the forecast!

Please remember that City ordinance prohibits parking on the street during and immediately after a snowstorm. The City is often unable to safely plow your street until all parked vehicles and trailers are removed.

Vehicles that are parked on the road during snowplow operations are subject to citations. Please get your vehicles moved before the storm!... [See more](#)



15 4 comments 5 shares

Like Comment Share

15 4 comments 5 shares

Like Comment Share

Most relevant ▼

Blaine Johnston
Are they actually going to enforce the no parking. We have cars sitting on the street for days now.
The minute I leave my trailer on the street I get an orange tag on it.
It was there 8 hours.

1d Like Reply 3

Jonathan Orr
When they only plow the center of the street, how important is it to move vehicles off the road?

23h Like Reply 1

Spencer Andrus
When will 300 S/ Flonette Ave between 1150 E and 1360 E get plowed? I feel sorry for all the parents and bus drivers who have to drive through the snow and ice just to drop their kids off at school.

1d Like Reply

Blaine Johnston
Spencer Andrus probably not. They have there own agenda.
I was shocked to see them out at 5 am.
Left for work, several cars parked on the street.
So much for the city's notice

1d Like Reply



Government Speech

- City speaks for itself
- Official communications
- Press releases
- City's social media accounts (if comments closed or policy)
- City signs
- City monuments (*Pleasant Grove v. Summum*)
- City flags (*Shurtleff v. Boston*, third flagpole became public forum)
- City's parade - if carefully curated



Take home:

Private social media accounts

- May become public forum if opened for public comments
- Used for City business
- Targeted removal of comments may violate the First Amendment
- May also become public records subject to disclosure under GRAMA



- Current Staffing (same level since 2018)
 - 1.5 Civil Attorneys
 - 1.5 Prosecutors
 - 2 Legal Assistants
- Future Staffing (1-3 years)
 - 2 Civil Attorneys
 - 2 Prosecutors
 - +1 FTE attorney
 - Additional PT Legal Assistant or convert PPT Legal Assistants to FT

