

A Winthrop & Weinstine blog dedicated to bridging the gap between legal & marketing types.

The Thin Red (or Black) Line

by [Brent Lorentz](#)

As I was driving through summer construction earlier this week, I was stuck behind a truck with the following logo:



This was excellent timing because just days before I had suddenly and inexplicably been struck by how simple, yet distinctive, I thought a particular logo had become – particularly the red line – and I wondered whether or not there was any chance of customer confusion.





All your protection under one roof®

The roof line is virtually identical aside from the addition of the vertical line to the right, and additionally, both companies offer services that are necessary in the event of a disaster. However, despite this, Metro Restoration might be okay because American Family's red line may only be entitled to a "[thin red line](#)" of protection. After checking out the USPTO website, it appears that American Family has registered the [whole logo](#), but has not registered the line itself. Presumably, American Family would have to start from scratch in establishing the line itself as a distinctive mark.

How do you like its chances? And, on a related note, can you think of any similarly simple, yet arguably distinctive geometries?

Click on the link to read [A Thin Red \(or Black\) Line on DuetsBlog](#).



Capella Tower | Suite 3500 | 225 South Sixth Street | Minneapolis, MN 55402
Main: (612) 604-6400 | Fax: (612) 604-6800 | www.winthrop.com | *A Professional Association*