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## [Perfumers Need Trademarks](#)

Posted on September 1, 2010 by [Tiffany Blofield](#)

As I was reading *US* magazine last weekend, I saw that Jennifer Aniston (my favorite “Friend”) launched her first perfume last month. She describes it as a combination of the ocean, sea air, blooming jasmine and tropical oils. I might have to try it. Our guest blogger [Mark Prus](#) recently discussed the perfume in his post “[Wary of Trademark Infringement?](#)” He informed us that [Jennifer Aniston](#) had to change her perfume name “Lovalie,” because she was concerned about potential infringement with Marc Jacob’s perfume “Lola.” Opting for an eponymous perfume she renamed it “Jennifer Aniston.”

Jennifer Aniston’s nemesis Angelina Jolie was involved in a perfume name dispute. Angelina Jolie brought an action on behalf of her at that time infant daughter Shiloh Nouvel Jolie-Pitt (Jennifer’s ex-husband [Brad Pitt](#)’s daughter). Specifically, Angelina Jolie sought to prevent perfumer Symine Salimpour from launching the perfume “Shiloh.” Ms. Salimpour had registered the [trademark “SHILOH”](#) for perfumes a month after Shiloh Nouvel Jolie-Pitt was born. After battling for thirteen months, Angelina Jolie finally dropped the legal challenge to the application to trademark the name.

Other perfumer stars have registered their names as trademarks for perfume. In order to do so, the law generally requires a showing of “secondary meaning.” This means that the public has come to recognize the personal name as a symbol that identifies and distinguishes the goods of only one seller (i.e., Levi Strauss). Jennifer Lopez was able to establish a “secondary meaning” when she registered her name: “[Jennifer Lopez](#)” as a trademark for perfume. In addition, she registered the trademarks: “[Live Jennifer Lopez](#)” and “[Still Jennifer Lopez](#).” Despite renaming her perfume, Jennifer Aniston has not yet registered her name as a trademark. She should have read Mark Prus’s blog and follow in the steps of savvy business person Jennifer Lopez.



WINTHROP WEINSTINE

ATTORNEYS AND COUNSELORS AT LAW