



No Bones about it: Radio host trumps The Donald

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Presidential hopeful Donald Trump ponied up much more than official U.S. Patent and Trademark Office (USPTO) fees in an attempt to register his campaign slogan.

On August 13, 2015, the business mogul filed for a trademark application for the phrase, "MAKE AMERICA GREAT AGAIN," in association with many goods and services including bumper stickers, clothing, backpacks, campaign buttons, political campaign services, and online social networking services. Unfortunately for Trump, on August 5, 2015, popular country radio host Bobby Bones had already filed for trademark registration on "MAKE AMERICA GREAT AGAIN" in association with backpacks, purses, and pet clothing, among other goods.

Having an earlier filing date with the United States Patent and Trademark Office can make a difference in a trademark's prosecution. So the fact that Trump filed for the trademark 10 days after Bones did could have prevented Trump from procuring the trademark and all of the rights associated with it. Accordingly, if Bones' trademark registered, Bones would have the exclusive right to sell certain types of goods emblazoned with the phrase "MAKE AMERICA GREAT AGAIN."

Bones, knowing the value of the trademark to Trump and his campaign, offered to sell Trump his trademark application. He was not, however, out to make a profit on the deal. Rather, Bones tweeted Trump an offer – for a \$100,000 donation to St. Jude Children's Research Hospital, the radio host would give his earlier-filed trademark application to Trump.

On Thursday, Bones confirmed that Trump made good on his end of the deal (though the actual amount of the donation is unknown) by posting a picture of Trump's check on his Twitter account.

It is expected that Bones will now assign his trademark application to Trump, and provided that Trump's trademarks register with the USPTO, he is free to "MAKE AMERICA GREAT AGAIN" – or at least sell goods promising to do so.