

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

## **Noticing Your Exposure to Color Marks**

Posted on June 8, 2011 by Susan Perera

A few weeks ago I wrote about the <u>use of unique colors in trademarks and logos</u> as a potential way to differentiate your brand. Like using distinctive colors as part of a trademark, many companies use distinctive colors on their actual products to act as source identifiers.

While a color trademark for a product does take longer to achieve (such a mark is not inherently distinctive but can achieve trademark registration through a showing of acquired distinctiveness, often by five or more years of continuous use) it can be a great non-verbal brand identifier.

One possible candidate, in my opinion, for such a mark is the Canon L lens. Even as an amateur photographer I run across and readily recognize Canon's L series of lenses by the red ring on the end of these professional or "luxury" lenses.



Although I was unable to find any evidence that Canon has attempted to register or protect this characteristic, <a href="Canon's website">Canon's website</a> does tout the L series lenses as "distinguished by a bold red ring around the outer barrel." Not quite blatant "look for" advertising, but I wouldn't be surprised to see Canon attempt to focus in on trademark protection.

What possible color product trademarks are you noticing?

