

Preface

Thank you for your interest in *Trademark Law: An Open-Source Casebook*! I hope that you find it useful.

I should say a word or two about the court opinions included in this casebook. As with any casebook, students should ask themselves as they come upon each particular opinion: why is this opinion being presented to me? What is it doing here? This casebook includes some opinions because they are leading opinions that continue to have a significant influence on the course of American trademark doctrine. Other opinions are included because they are simple, straightforward examples of the doctrine being applied. Still other opinions are included because they are problematic and almost certainly wrong. Finally, some opinions are included because they are all of the above. Though the casebook does sometimes point out which opinions have proven to be highly influential, you are nevertheless invited, as you proceed through the casebook, to decide for yourself how each opinion should otherwise be characterized.

The opinions are sometimes lightly edited and may retain many of the citations included in the original opinion. They may also retain paragraphs that review doctrine previously covered. This may be frustrating to students accustomed to reading aggressively edited-down opinions. I sometimes use curly brackets to distinguish edits I have made in the opinions from the original opinion's use of square brackets.

The casebook is formatted to be read on a screen. If you would prefer a different format, .doc versions of the various parts of the casebook are available at tmcasbook.org.

The casebook remains a work in progress. I update it every summer. I'm grateful to the many professors who have adopted the book for use in their classrooms and write to me with corrections and suggestions.

This is a free casebook. My hope is that this casebook shows that it is possible to produce a reasonably serviceable American law school casebook on standard word-processing software without the need for the traditional publishers—and their exploitative prices per copy. My further hope is that, being free and online, the casebook is more accessible to students around the world. The downside is that the book is not professionally proofread. Please forgive any typos and formatting errors.

Finally, the book is free largely due to the support of NYU Law's students and alumni, most notably, John M. Desmarais (NYU Law '88) of Desmarais LLP, who recently established the professorship I hold at NYU Law. I thank all of them for their support.

--Barton Beebe