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The August issue of Sterne Kessler's **MarkIt to Market™** newsletter discusses consent agreements and how to avoid naked consent, suggests 5 steps for protecting shrinking trademarks, and provides an updated list of the Sunrise Periods currently open for new gTLDs.

Sterne Kessler's Trademark, Advertising, and Anti-Counterfeiting **practice** is designed to help meet the intellectual property needs of companies interested in developing and maintaining strong brands around the world. For more information, please contact [Monica Riva Talley](#) or [Tracy-Gene G. Durkin](#).



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**Naked Consent: When Does Yes Mean No?**

By [Shana L. Olson](#) & [Monica Riva Talley](#)

Consent agreements – in which a prior U.S. Patent and Trademark Office (USPTO) rights-holder provides consent to registration of a later-filed trademark – can be an efficient path to registration in situations where the parties agree that confusion between their respective marks is unlikely. The USPTO typically gives "great weight" to properly constructed consent agreements, and the USPTO's rules of practice caution that it should not "substitute its judgment concerning likelihood of confusion for the judgment of the parties in interest without good reason."

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**5 Steps to Protecting Your Shrinking Trademark**

By [Monica Riva Talley](#)

Wherever we look, trademarks are getting smaller. From app icons to college stickers on cars, brands are shrinking as the competition for consumers' attention grows more fierce. A few years ago, parents proudly displayed window stickers featuring the full name of their children's schools across the bottom of their car window. Contrast this with the norm today (shown in photo):

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**gTLD Sunrise Periods Currently Open**

As first reported in our December 2013 newsletter, the first new generic top-level domains (gTLDs, the group of letters after the "dot" in a domain name) have launched their "Sunrise" registration periods. Please contact us or see our [December 2013 newsletter](#) for information as to what the Sunrise Period is, and how to become eligible to register a domain name under one of the new gTLDs during this period.

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