



MarkIt to Market™

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The October issue of Sterne Kessler's **MarkIt to Market™** newsletter reviews some highlights from the new USPTO Service Mark Specimens Examination Guide, considers the colorful history of the Störtebeker beer brand name, and 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](#), [Tracy-Gene G. Durkin](#), [Ivy Clarice Estoesta](#), or [Julie D. Shirk](#).



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USPTO Posts Service Marks Specimens Examination Guide

Earlier this fall, the U.S. Patent and Trademark Office posted its final version of Examination Guide 3-14 on the topic of Service Mark Specimens. Among other things, this guide reviews the requirements for service mark specimens, discusses issues that frequently arise in the examination of service mark specimens, considers specimens that are commonly submitted in connection with modern technology-related services and, most helpfully, provides numerous examples of acceptable service mark specimens. Although the guide focuses on service marks for computer-related technologies, the examination principles are generally applicable to all service marks.



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Oktoberfest Special: Störtebeker, What's in a Beer Name?

We brand geeks at MarkIt to Market occasionally like to explore the history of interesting trademarks. A recent visit to Germany inspired a look into the history of the Störtebeker beer brand, which derives its name from one of the more colorful figures from German history and lore -- Klaus Störtebeker.



Störtebeker, who lived from 1360-1400, was a for-hire privateer who later turned to pirating for personal profit. Störtebeker's moniker is a nickname meaning "empty the mug with one gulp" – only the "mug" in Störtebeker's case held four liters. Although his name alone makes Störtebeker an excellent beer mascot, he was also a very successful and ruthless pirate. When he was eventually captured, legend has it that one of the masts of his ship was found to have a core of gold.

The most famous Störtebeker exploit is also his last. When he was finally captured and sentenced to death by beheading, Störtebeker asked the mayor of Hamburg to release as many of his cohorts as he could walk past post-beheading. According to legend, Störtebeker's body arose from the chopping block and walked past eleven of his men – and would have kept going, had the he not been tripped by the evidently annoyed executioner. The mayor did not honor the agreement, and proceeded to execute his eleven companions.

Although he didn't claim to be "the most interesting man in the world," Störtebeker was a real person, whose exploits inject an aura of adventure into the beer that bears his name. Fittingly, Störtebeker beer labels bear a dramatic image of a pirate ship traversing stormy seas.

We would love to hear the history of your brand name!

gTLD Sunrise Periods Now 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 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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