

## Why Is Disney Trademarking the Name of Osama bin Laden's Killers?

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U.S. Navy/ Michael W. Pendergrass

**Disney is seeking to trademark "SEAL Team 6"? WTF? What legal precedent lets a taxpayer-funded unit get exploited for profit?**

—Kevin, Tucson, via the *inbox*

Yep, Disney has applied for merchandise-related trademarks based on the elite military squad that offed **Osama bin Laden**. You know, clothes, shoes, hats, toys. But why the outrage?

You're saying that if you saw a shelf of SEAL Team 6 snow globes you wouldn't buy up every single one? You know you would. Anyway, I've got the inside dish, and I guarantee it's not what you think:

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Two days after SEAL Team 6 shot bin Laden in Pakistan, Disney applied to trademark the squad name. Specifically, according to reports, the company applied for dibs on (among other items) hats, toys, Christmas stockings, Christmas decor and—yes, actually—snow globes.

You may think, well, geez, why not just try to copyright the American flag? Turns out, Disney's move is perfectly legal, attorneys tell me.

"You can't trademark flags or coats of arms," quips Greg Weisman, a partner and chair of the business and tax department at Silver & Freedman, a leading business law firm in Los Angeles.

"But pretty much anything else is up for grabs. The law says that the first person to use that trademark on a particular set of goods is deemed the owner. It's about being the first to use the goods."

Indeed: Back in the old-timey-days, "G.I. Joe" was just a general term used to describe men in the military. Then somebody trademarked the phrase and turned it into a TV, film and toy franchise.

Still, don't expect to see those snow globes on Amazon in time for the holidays.

"The filing was really about a plan for a TV show," says a source with knowledge of the situation. "There is no plan for a snow globe, sorry."

Indeed, Disney is considering partnering with a third-party production company to develop a series, much like *NCIS* or *JAG*, both of which are, or were, based on real-life military services.

"It would focus on [the characters'] personal stories," my source says, "but it would have nothing to do with Osama bin Laden."

And the most common way for entertainment companies to fend off potential small-screen competition is to go through the trademark office, I am told.

"If, down the line, the series becomes wildly successful, you don't want someone slapping something on a snow globe and calling it a SEAL Team 6 product," my insider explains.

Disney, it should be noted, owns ABC, the most likely landing pad for a show of this nature. Still, my source says, don't look for any such development for at least another year.