

**TRADEMARK DILUTION: OF FAME, BLURRING,
AND SEALING WAX, WITH A TOUCH OF
JUDICIAL WISDOM**

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Abstract

The Trademark Dilution Revision Act of 2006 (TDRA) purported to clarify dilution law. Although it may be too early for a complete assessment, there are initial indications that the result was more than mere "clarification." Instead, the TDRA significantly altered the contours of dilution law and presented courts with a number of new unresolved issues. Some plausible interpretations of the newly "clarified" law, aided by continued judicial skepticism, may cause federal dilution based on claims of blurring to disappear almost entirely, an outcome that I suggest would have some merit.

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