

Lesson

We Are Still Here

Indigenous Women Resistance and Resilience in the American Present

Subject Area

Social Studies

Grade Level or Course

Grades 9–12

Court Timeline & Need to Know Information

1946

Five Native Americans, Amanda Blackhorse, Marcus Briggs-Cloud, Phillip Gover, Jillian Pappan, and Courtney Tsotigh (“Blackhorse defendants”), brought a case against Pro-Football, Inc. (“PFI”) under section 14 of the Trademark Act of 1946. They wished to cancel the Washington Football Team’s trademark for the name “redskins” because it disparaged indigenous people.

2014

In June 2014, the Trademark and Trial Appeal Board cancelled the Redskins trademark, stating it violated the Landham Act.

The Blackhorse defendants then brought the case to federal court and submitted a motion^[1] asking for a summary judgement to be made on the case.

PFI also submitted a motion asking for a summary judgement claiming their right to Freedom of Speech was being infringed.

In the end, the court denied the PFI’s motion claiming that the First Amendment was not needed in this case. They also granted the Blackhorse defendants’ summary judgement motion. What this meant was that the Washington Football Team lost the right to the “Redskins” trademark. Losing the trademark means that people could recreate the “Redskins” logo for merchandise themselves without getting sued. This would be a huge blow to the ability for the Washington Football Team to make money.

2020

After this, it took until 2020 for The Washington Redskins to change the name to the Washington Football Team due to societal pressure. That name remained for 19 months before being officially renamed the Washington Commanders.

[1] When a lawyer submits something requesting that the court make a decision on a certain issue before the trial begins