

Hashtags getting copyrighted

Social media users fond of posting a hashtag could find themselves on the wrong side of the law.



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That's because more South African individuals and companies are filing trademark applications for hashtags related to their products and brands.

"In 2015 alone there were 301 search results [from the Register of South African Trademarks] containing the '#' symbol, or the word 'hashtag' within the trademark," said patent attorney Elaine Bergenthuin.

Some applications have been accepted and registered, many have been accepted conditionally, and others have been refused or are pending," she said Thursday, 11 August 2016.

Often the conditions for registration include that the applicant submit more documentation or disclaim patent rights over certain words.

"The well-known #CEOSleepOutZA is one of the applications that has been accepted with conditions. The registrar required the applicant to disclaim the words "CEO" and "sleep".

Generally, a disclaimer serves to prevent the exclusive registration and use of generic or common words," said Bergenthuin.

Source: *The Times* via I-Net Bridge

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