



Proper Use of CHATTERBAIT® Trademarks

Since the introduction of the Original ChatterBait® vibrating jig, Z-Man Fishing Products, Inc. has invested a great deal of money, effort, and pride in establishing itself as the premier manufacturer of bladed swim jigs. While our primary focus has been and will always be producing the most effective and high-quality fishing lures, we have also made a significant investment in securing trademarks and patents that protect our products and brands against copycats.

As you may be aware, Z-Man is the exclusive licensee of a family of federally registered “Chatter” marks, including, but not limited to, ChatterBait®, ChatterBlade®, and ChatterFrog®, all used in connection with fishing lures. Trademarks are among the most valuable assets a business owns. Like Coke®, Kleenex®, and Jeep®, trademarks have close identity in the public mind to particular types of products, though the public does not always remember that trademarks are brand names.

To maintain our trademarks and preserve brand integrity, we at Z-Man must diligently protect the “Chatter” family of marks. If use of a trademark is not monitored by a business – and through misuse the trademark loses its ability to identify the source as the business – proprietary rights in the trademark can be forever lost. Escalator, kerosene, aspirin, zipper, and cellophane were all at one time proprietary trademarks, but through misuse became the generic names of the goods they were intended to identify.

Below are several points to remember about the proper use of the Chatter marks and trademarks generally:

- Trademarks identify the source of goods of a business to customers and distinguish them from competitors’ goods. Trademarks symbolize the goodwill of the business that has been developed through repeated sales of the goods.
- Trademarks should not be used to describe goods originating from or made by parties other than the trademark holder. Goods similar to, or competing with, items described by a trademarked name should not be marketed using that trademarked name.
- Any use of the Chatter marks should be shown with an ® symbol to the right side of the trademark.
- All Chatter marks should be capitalized and spelled correctly and never should be used in a generic sense.
- A trademark is always an adjective and is never a noun. Please use the Chatter marks in the correct context. For instance, ChatterBait is the brand, and “bladed swim jig,” “vibrating jig,” and “bladed fishing lure” are examples of generic names for this product. Examples of proper use of the ChatterBait mark are

ChatterBait® bladed swim jig

ChatterBait® brand vibrating jig

- Z-Man is also the exclusive licensee of protected trademark rights, known as trade dress rights, covering the hexagonal shape of the ChatterBait blade (the ChatterBlade). Any use or depiction of a hexagonal lure blade must be approved in writing in advance of the proposed use.

The law requires that we must make every effort possible to prevent incorrect usage of the Chatter family of marks, and your cooperation regarding accurate use of these trademarks is appreciated. Please contact us directly if you need more information.

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