

Microsoft Wants "App Store" Declared Generic

Written by Bob Snyder
13. January 2011

Microsoft wants the U.S. Patent and Trademark to reject **Apple's** 2008 request to trademark "App Store." That's a nice competitive move if the Seattle giant can prevail over Silicon Valley.

"App Store" is too generic, like a shoe maker trying to claim the rights to "Shoe Store," says the argument against Apple.



"Ah, yes," answers the other side. "But in this case, the App in App Store stands for Apple. After we have built it in our name and made it famous, other folks shouldn't be able to jump onto our bandwagon and adopt it. "

Presumably the others should use "Application Store" as a moniker.

Our opinion: App Store is so flagrantly used that Apple cannot possibly defend it. To defend their claim, Apple would have to attack all press, bloggers etc who use the expressseion indiscriminately. Xerox tried that years ago (before internet) but once the public has the phrase in their head (and on their tongues), you can't hold the dam from breaking. Public use, not Microsoft, puts a phrase into generic use. What Apple can indeed defend is a particular logo that demonstrates ownership.

That's probably how the solons of court will sort the App from the Store...