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## **Lego loses trademark battle over bricks**

<http://www.breakingnewsenglish.com/0811/081114-trademarks.html>

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14th November, 2008

## THE ARTICLE

The Danish toy maker Lego has just lost a court battle over a trademark on its bricks. For fifty years, it has enjoyed protection from rival toymakers. Lego had a copyright on the shape and design of its small bricks and blocks. This stopped competitors from making the same size and shape blocks. However, rival toy company Mega Brands started fighting Lego's trademark in 1999. For almost a decade, Mega Brands has battled Lego's lawyers in the courts. Lego argued its iconic bricks were unique, and different from others around the world. It said the design and size of the studs on top of the bricks meant it could be copyrighted. The judges disagreed and decided that the shapes of Lego's bricks served a clear and useful purpose and could not be protected. They were too ordinary to deserve a copyright.

Children have been playing with Lego for over half a century. The bricks are a permanent fixture of all kids' bedrooms, school activity areas and department store play rooms. It all started in 1958 when Lego launched its first red bricks. These have changed over the ages into fantasy figures, space stations and motorized models. The popularity of the colourful blocks has led to theme parks around the world. A Lego spokeswoman, Charlotte Simonsen, said the company was disappointed with the judges' decision: "We at Lego are convinced in our belief that we are right in our views on trademark legislation," she said. The new court ruling could pave the way for more competition. A "brick war" between Lego and Mega Brands could see cheaper prices for kids and adults.

# WARM-UPS

**1. LEGO:** Walk around the class and talk to other students about Lego. Change partners often. After you finish, sit with your partner(s) and share your findings.

**2. CHAT:** In pairs / groups, decide which of these topics or words from the article are most interesting and which are most boring.

*toys / court battles / trademarks / copyright / bricks / rivals / being unique / ordinary / children / kids' bedrooms / fantasy figures / theme parks / competition / prices*

Have a chat about the topics you liked. Change topics and partners frequently.

**3. RIVALS:** Do you always choose one company over another? Complete the table below. Share what you wrote with your partner(s).

Product	I'm loyal to...	because...
Toys		
Games machines		
Cola		
Fashion		
Burgers		
Cars		

**4. TRADEMARK:** Students A **strongly** believe Lego should be able to keep its trademark on its bricks; Students B **strongly** believe competition is necessary to bring prices down. Change partners again and talk about your conversations.

**5. TOYS:** With your partner(s), discuss what kind toys you played with as a child. Rank them according to your favourite (then and now). Share your ideas with other students.

	Then		Now		Then		Now
• Lego	___		___	• Action figures / dolls	___		___
• Board games	___		___	• Role playing	___		___
• Video games	___		___	• Cards	___		___

**6. COPYRIGHT:** Spend one minute writing down all of the different words you associate with the word 'copyright'. Share your words with your partner(s) and talk about them. Together, put the words into different categories.

# BEFORE READING / LISTENING

**1. TRUE / FALSE:** Look at the article's headline and guess whether these sentences are true (T) or false (F):

- a. Lego has had a trademark on its toy bricks for the past fifty years. T / F
- b. Rivals were not allowed to make the same shape and shape of bricks. T / F
- c. Lego has been fighting competitors in the courts for five decades. T / F
- d. Judges decided Lego's bricks weren't unique enough to be copyrighted. T / F
- e. Some children play with Lego for over half a century. T / F
- f. The first bricks that Lego made were white. T / F
- g. A Lego representative totally understood the judges' decision. T / F
- h. The judges' decision may mean prices of playing bricks will come down. T / F

**2. SYNONYM MATCH:** Match the following synonyms from the article:

- |                      |                  |
|----------------------|------------------|
| 1. battle            | a. prevented     |
| 2. rival             | b. lead to       |
| 3. stopped           | c. everlasting   |
| 4. unique            | d. opinions      |
| 5. purpose           | e. one-of-a-kind |
| 6. permanent         | f. use           |
| 7. launched          | g. fight         |
| 8. views             | h. laws          |
| 9. legislation       | i. started       |
| 10. pave the way for | j. competitor    |

**3. PHRASE MATCH:** Match the following phrases from the article (sometimes more than one. combination is possible):

- |  |                   |
|--|-------------------|
| 1. lost a court battle over a                            | a. unique         |
| 2. Lego had a copyright on the                           | b. purpose        |
| 3. Lego argued its iconic bricks were                    | c. our belief     |
| 4. it could be   | d. trademark      |
| 5. Lego's bricks served a clear and useful               | e. competition    |
| 6. Children have been playing with Lego for over         | f. shape          |
| 7. It all started in 1958 when Lego launched its first   | g. cheaper prices |
| 8. We at Lego are convinced in                           | h. red bricks     |
| 9. The new court ruling could pave the way for more.     | i. copyrighted    |
| 10. A "brick war" between Lego and Mega Brands could see | j. half a century |

# WHILE READING / LISTENING

**GAP FILL:** Put the words into the gaps in the text.

The Danish toy maker Lego has just \_\_\_\_\_ a court battle over a trademark on its bricks. For fifty years, it has enjoyed protection from \_\_\_\_\_ toymakers. Lego had a copyright on the shape and design of its small bricks and blocks. This stopped competitors from making the same \_\_\_\_\_ and shape blocks. However, rival toy company Mega Brands started fighting Lego's trademark in 1999. For almost a \_\_\_\_\_, Mega Brands has battled Lego's lawyers in the courts. Lego argued its iconic bricks were \_\_\_\_\_, and different from others around the world. It said the design and size of the studs on top of the bricks \_\_\_\_\_ it could be copyrighted. The judges disagreed and decided that the shapes of Lego's bricks served a clear and useful \_\_\_\_\_ and could not be protected. They were too ordinary to \_\_\_\_\_ a copyright.

*unique*  
*purpose*  
*size*  
*lost*  
*deserve*  
*decade*  
*rival*  
*meant*

Children have been playing with Lego for over \_\_\_\_\_ a century. The bricks are a permanent \_\_\_\_\_ of all kids' bedrooms, school activity areas and department store play rooms. It all started in 1958 when Lego \_\_\_\_\_ its first red bricks. These have changed over the ages into fantasy figures, space stations and motorized \_\_\_\_\_. The popularity of the colourful blocks has led to \_\_\_\_\_ parks around the world. A Lego spokeswoman, Charlotte Simonsen, said the company was disappointed with the judges' decision: "We at Lego are convinced in our \_\_\_\_\_ that we are right in our views on trademark legislation," she said. The new court ruling could \_\_\_\_\_ the way for more competition. A "brick war" between Lego and Mega Brands could \_\_\_\_\_ cheaper prices for kids and adults.

*theme*  
*pave*  
*belief*  
*fixture*  
*models*  
*half*  
*see*  
*launched*

## **LISTENING:** Listen and fill in the spaces.

The Danish toy maker Lego \_\_\_\_\_ court battle over a trademark on its bricks. For fifty years, it has enjoyed protection from rival toymakers. Lego had a copyright \_\_\_\_\_ design of its small bricks and blocks. This stopped competitors from making \_\_\_\_\_ shape blocks. However, rival toy company Mega Brands started fighting Lego's trademark in 1999. For almost a decade, Mega Brands has battled Lego's lawyers in the courts. Lego \_\_\_\_\_ bricks were unique, and different from others around the world. It said the design and \_\_\_\_\_ on top of the bricks meant it could be copyrighted. The judges disagreed and decided that the shapes of Lego's bricks served \_\_\_\_\_ purpose and could not be protected. They were too ordinary \_\_\_\_\_ copyright.

Children have been playing with Lego \_\_\_\_\_ century. The bricks are a permanent \_\_\_\_\_ kids' bedrooms, school activity areas and department store play rooms. \_\_\_\_\_ 1958 when Lego launched its first red bricks. These have changed over the ages into fantasy figures, space stations and motorized models. The \_\_\_\_\_ colourful blocks has led to theme parks around the world. A Lego spokeswoman, Charlotte Simonsen, said the company was disappointed \_\_\_\_\_ decision: "We at Lego are convinced in our belief that we are \_\_\_\_\_ on trademark legislation," she said. The new court ruling could pave the way for more competition. A "brick war" between Lego and Mega Brands could see cheaper \_\_\_\_\_ and adults.

# AFTER READING / LISTENING

**1. WORD SEARCH:** Look in your dictionaries / computer to find collocates, other meanings, information, synonyms ... for the words 'trade' and 'mark'.

<b>trade</b>	<b>mark</b>
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- Share your findings with your partners.
- Make questions using the words you found.
- Ask your partner / group your questions.

**2. ARTICLE QUESTIONS:** Look back at the article and write down some questions you would like to ask the class about the text.

- Share your questions with other classmates / groups.
- Ask your partner / group your questions.

**3. GAP FILL:** In pairs / groups, compare your answers to this exercise. Check your answers. Talk about the words from the activity. Were they new, interesting, worth learning...?

**4. VOCABULARY:** Circle any words you do not understand. In groups, pool unknown words and use dictionaries to find their meanings.

**5. TEST EACH OTHER:** Look at the words below. With your partner, try to recall how they were used in the text:

<ul style="list-style-type: none"><li>• lost</li><li>• enjoyed</li><li>• stopped</li><li>• decade</li><li>• disagreed</li><li>• ordinary</li></ul>	<ul style="list-style-type: none"><li>• half</li><li>• all</li><li>• ages</li><li>• popularity</li><li>• belief</li><li>• war</li></ul>
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# STUDENT LEGO SURVEY

Write five GOOD questions about Lego in the table. Do this in pairs. Each student must write the questions on his / her own paper.

When you have finished, interview other students. Write down their answers.

	STUDENT 1 _____	STUDENT 2 _____	STUDENT 3 _____
Q.1.			
Q.2.			
Q.3.			
Q.4.			
Q.5.			

- Now return to your original partner and share and talk about what you found out. Change partners often.
- Make mini-presentations to other groups on your findings.



# LEGO TRADEMARK DISCUSSION

STUDENT A's QUESTIONS (Do not show these to student B)

- a) What did you think when you read the headline?
- b) What springs to mind when you hear the word 'trademark'?
- c) What is the difference between a trademark and copyright?
- d) Do you like Lego? Was it part of your childhood?
- e) Do you think Lego should be allowed to keep its trademark on the size and shapes of its blocks?
- f) Would you choose a rival toymaker over Lego?
- g) Do you think Lego's bricks are iconic? Are there any other toys more famous?
- h) What do you think of the judges' decision?
- i) Do you think the judges' decision will affect Lego?
- j) What do you think of this story?

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# LEGO TRADEMARK DISCUSSION

STUDENT B's QUESTIONS (Do not show these to student A)

- a) Did you like reading this article?
- b) Why has Lego been so popular for so long?
- c) Do you think those at the 1958 launch knew Lego would be so big?
- d) What part does Lego play in our culture today?
- e) Do you think 50-year long trademarks are too long?
- f) Would you like to go to a Lego theme park?
- g) Why do you think Lego feels it should keep its trademark?
- h) Do you think trademarks prevent healthy competition?
- i) Will children have more Lego if prices come down?
- j) What questions would you like to ask Lego spokeswoman Charlotte Simonsen?

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# LANGUAGE

The Danish toy maker Lego has just (1) \_\_\_\_ a court battle over a trademark on its bricks. For fifty years, it has enjoyed protection from rival toymakers. Lego had a copyright (2) \_\_\_\_ the shape and design of its small bricks and blocks. This stopped competitors (3) \_\_\_\_ making the same size and shape blocks. However, rival toy company Mega Brands started fighting Lego's trademark in 1999. For almost a decade, Mega Brands has (4) \_\_\_\_ Lego's lawyers in the courts. Lego argued its iconic bricks were (5) \_\_\_\_, and different from others around the world. It said the design and size of the studs on top of the bricks meant it could be copyrighted. The judges disagreed and decided that the shapes of Lego's bricks served a (6) \_\_\_\_ and useful purpose and could not be protected. They were too ordinary to deserve a copyright.

Children have been playing with Lego for over half a century. The bricks are a permanent (7) \_\_\_\_ of all kids' bedrooms, school activity areas and department store play rooms. It (8) \_\_\_\_ started in 1958 when Lego launched its first red bricks. These have changed over the ages into fantasy figures, space stations and motorized models. The (9) \_\_\_\_ of the colourful blocks has led to theme parks around the world. A Lego spokeswoman, Charlotte Simonsen, said the company was disappointed (10) \_\_\_\_ the judges' decision: "We at Lego are convinced in our (11) \_\_\_\_ that we are right in our views on trademark legislation," she said. The new court ruling could (12) \_\_\_\_ the way for more competition. A "brick war" between Lego and Mega Brands could see cheaper prices for kids and adults.

**Put the correct words from the table below in the above article.**

- |     |               |                |                |                |
|-----|---------------|----------------|----------------|----------------|
| 1.  | (a) loser     | (b) lost       | (c) losing     | (d) loses      |
| 2.  | (a) of        | (b) from       | (c) on         | (d) to         |
| 3.  | (a) from      | (b) of         | (c) on         | (d) to         |
| 4.  | (a) battle    | (b) battling   | (c) battles    | (d) battled    |
| 5.  | (a) unquote   | (b) uniquely   | (c) unique     | (d) unequal    |
| 6.  | (a) clear     | (b) clarity    | (c) clearness  | (d) clearly    |
| 7.  | (a) fix       | (b) fixing     | (c) fixed      | (d) fixture    |
| 8.  | (a) whole     | (b) all        | (c) everything | (d) complete   |
| 9.  | (a) populate  | (b) population | (c) popular    | (d) popularity |
| 10. | (a) of        | (b) for        | (c) with       | (d) from       |
| 11. | (a) believers | (b) belief     | (c) believe    | (d) believes   |
| 12. | (a) pave      | (b) wave       | (c) cave       | (d) fave       |

**WRITING:**

Write about **Legø** for 10 minutes. Correct your partner’s paper.

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# HOMework

**1. VOCABULARY EXTENSION:** Choose several of the words from the text. Use a dictionary or Google's search field (or another search engine) to build up more associations / collocations of each word.

**2. INTERNET:** Search the Internet and find out more about the history of Lego, its part in our culture, and its products. Share what you discover with your partner(s) in the next lesson.

**3. MY TOYS:** Make a poster about your childhood toys. Describe your feelings towards them and how you played with them. Show your work to your classmates in the next lesson. Did you all have similar things?

**4. LEGO:** Write a magazine article about Lego losing its trademark. Include imaginary interviews with the CEO of Lego and a poor child who loves Lego but can't afford the expensive bricks.

Read what you wrote to your classmates in the next lesson. Write down any new words and expressions you hear from your partner(s).

**5. LETTER:** Write a letter to Lego spokeswoman Charlotte Simonsen. Ask her three questions about her job at Lego. Give her your three ideas on what Lego should do to make sure it stays an industry leader. Read your letter to your partner(s) in your next lesson. Your partner(s) will answer your questions.

**6. DIARY / JOURNAL:** You are a Lego character. Write a diary entry about an average day in your life. Read what you wrote to your classmates in the next lesson.

# ANSWERS

## TRUE / FALSE:

a. T      b. T      c. F      d. T      e. F      f. F      g. F      h. T

## SYNONYM MATCH:

- |     |                  |    |               |
|-----|------------------|----|---------------|
| 1.  | battle           | a. | fight         |
| 2.  | rival            | b. | competitor    |
| 3.  | stopped          | c. | prevented     |
| 4.  | unique           | d. | one-of-a-kind |
| 5.  | purpose          | e. | use           |
| 6.  | permanent        | f. | everlasting   |
| 7.  | launched         | g. | started       |
| 8.  | views            | h. | opinions      |
| 9.  | legislation      | i. | laws          |
| 10. | pave the way for | j. | lead to       |

## PHRASE MATCH:

- |     |  |    |                |
|-----|--|----|----------------|
| 1.  | lost a court battle over a                           | a. | trademark      |
| 2.  | Lego had a copyright on the                          | b. | shape          |
| 3.  | Lego argued its iconic bricks were                   | c. | unique         |
| 4.  | it could be  | d. | copyrighted    |
| 5.  | Lego's bricks served a clear and useful              | e. | purpose        |
| 6.  | Children have been playing with Lego for over        | f. | half a century |
| 7.  | It all started in 1958 when Lego launched its first  | g. | red bricks     |
| 8.  | We at Lego are convinced in                          | h. | our belief     |
| 9.  | The new court ruling could pave the way for more     | i. | competition    |
| 10. | A "brick war" between Lego and Mega Brands could see | j. | cheaper prices |

## GAP FILL:

### Lego loses trademark battle over bricks

The Danish toy maker Lego has just **lost** a court battle over a trademark on its bricks. For fifty years, it has enjoyed protection from **rival** toymakers. Lego had a copyright on the shape and design of its small bricks and blocks. This stopped competitors from making the same **size** and shape blocks. However, rival toy company Mega Brands started fighting Lego's trademark in 1999. For almost a **decade**, Mega Brands has battled Lego's lawyers in the courts. Lego argued its iconic bricks were **unique**, and different from others around the world. It said the design and size of the studs on top of the bricks **meant** it could be copyrighted. The judges disagreed and decided that the shapes of Lego's bricks served a clear and useful **purpose** and could not be protected. They were too ordinary to **deserve** a copyright.

Children have been playing with Lego for over **half** a century. The bricks are a permanent **fixture** of all kids' bedrooms, school activity areas and department store play rooms. It all started in 1958 when Lego **launched** its first red bricks. These have changed over the ages into fantasy figures, space stations and motorized **models**. The popularity of the colourful blocks has led to **theme** parks around the world. A Lego spokeswoman, Charlotte Simonsen, said the company was disappointed with the judges' decision: "We at Lego are convinced in our **belief** that we are right in our views on trademark legislation," she said. The new court ruling could **pave** the way for more competition. A "brick war" between Lego and Mega Brands could **see** cheaper prices for kids and adults.

## LANGUAGE WORK

1 - d    2 - a    3 - b    4 - c    5 - c    6 - b    7 - d    8 - a    9 - b    10 - d    11 - c    12 - a