

No. 18-302

In the Supreme Court of the United States

ANDREI IANCU, UNDER SECRETARY OF COMMERCE FOR
INTELLECTUAL PROPERTY AND DIRECTOR,
UNITED STATES PATENT AND TRADEMARK OFFICE,
PETITIONER

v.

ERIK BRUNETTI

*ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT*

JOINT APPENDIX

NOEL J. FRANCISCO
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*Counsel of Record
for Petitioner*

*Counsel of Record
for Respondent*

PETITION FOR A WRIT OF CERTIORARI FILED: SEPT. 7, 2018
CERTIORARI GRANTED: JAN. 4, 2019

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UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

Docket No. 15-1109

IN RE: ERIK BRUNETTI, APPELLANT

DOCKET ENTRIES

DATE	DOCKET NUMBER	PROCEEDINGS
10/28/14	<u>1</u>	Appeal docketed. Date received: 09/22/2014. [193163] Entry of Appearance due 11/12/2014. Docketing Statement due 12/01/2014. Appellant/Petitioner's brief is due 12/29/2014. * * * * *
11/26/14	<u>8</u>	Docketing Statement for the Appellee Lee. Service: 11/26/2014 by email. [200312] * * * * *
12/30/14	<u>18</u>	Corrected Certificate of Interest for the Appellant Erik Brunetti. Service: 12/30/2014 by email. [206741]
12/30/14	<u>19</u>	Corrected Docketing Statement for the Appellant Erik Brunetti. Service: 12/30/2014 by email. [206742]

DATE	DOCKET NUMBER	PROCEEDINGS
* * * * *		
1/28/15	<u>22</u>	BRIEF FILED for Appellant Erik Brunetti [21]. Number of Pages: 28. Service: 01/28/2015 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 02/03/2015. Appellee Michelle K. Lee, Deputy Director, U.S. Patent and Trademark Office brief is due 03/12/2015. [213507]
* * * * *		
5/11/15	<u>31</u>	BRIEF FILED for Appellee Lee [30]. Number of Pages: .23. Service: 05/11/2015 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 05/18/2015. Appellant Erik Brunetti reply brief is due 05/29/2015. [239784]
* * * * *		
5/29/15	<u>37</u>	REPLY BRIEF FILED for Appellant Erik Brunetti [35].

DATE	DOCKET NUMBER	PROCEEDINGS
		Number of Pages: 12. Service: 05/29/2015 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 06/08/2015. Appendix is due 06/08/2015. [245274]
		* * * * *
6/12/15	<u>40</u>	APPENDIX FILED for Erik Brunetti [38]. Number of Pages: 464. Service: 06/12/2015 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 06/22/2015. [249250]
		* * * * *
11/6/15	50	Submitted after ORAL ARGUMENT by John R. Sommer for Erik Brunetti and Daniel Tenny for Lee. Panel: Judge: Dyk, Judge: Moore, Judge: Stoll. [287135]
12/22/15	<u>51</u>	ORDER filed setting briefing schedule. The parties are directed to simultaneously file

DATE	DOCKET NUMBER	PROCEEDINGS
		letter briefs limited to 20 double-spaced pages, due within 30 days of this order. Appellant/Petitioner's brief is due 01/21/2016. Appellee Michelle K. Lee, Director, U.S. Patent and Trademark Office brief is due 01/21/2016. By: Clerk (Per Curiam). Service as of this date by Clerk of Court. [298046]
1/21/16	<u>52</u>	Letter from Appellee Lee Responding to Court Order of December 22, 2015. Service: 01/21/2016 by email. [305270]
1/21/16	<u>53</u>	Letter from Appellant Erik Brunetti Appellant Brunetti's Letter Brief responding to Court Order of December 22, 2015. Service: 01/21/2016 by email. [305324]
4/22/16	<u>54</u>	Citation of Supplemental Authority pursuant to Fed. R. App. P. 28(j) for Appellee Lee. Service: 04/22/2016 by email. [328735]
10/18/16	<u>55</u>	Letter from Appellant Erik Brunetti re Request for Decision. Service: 10/18/2016 by email. [375618]

DATE	DOCKET NUMBER	PROCEEDINGS
* * * * *		
6/20/17	<u>58</u>	ORDER filed requesting Letter Briefs. The parties are instructed to file letter briefs limited to 20 double-spaced pages. By: Court (Per Curiam). Service as of this date by Clerk of Court. [440880]
* * * * *		
7/20/17	<u>60</u>	BRIEF FILED (LETTER) of Appellee Joseph Matal [59] Number of Pages: 20. Service: 07/20/2017 by email. The paper copies of the brief should be received by the court on or before 07/28/2017. [448357]
* * * * *		
8/9/17	<u>70</u>	BRIEF FILED (LETTER) of Appellant Erik Brunetti [69] Number of Pages: 14. Service: 08/09/2017 by email. The paper copies of the brief should be received by the court on or before 08/17/2017. [452879]
* * * * *		
8/29/17	73	Submitted after ORAL ARGUMENT by John R. Sommer for Erik Brunetti and Joshua Marc Salzman for Joseph Matal.

DATE	DOCKET NUMBER	PROCEEDINGS
		Panel: Judge: Dyk, Judge: Moore, Judge: Stoll. [457411]
12/15/17	<u>74</u>	OPINION and JUDGMENT filed. The judgment or decision is: Reversed. (Precedential Opinion). (For the Court: Dyk, Circuit Judge; Moore, Circuit Judge and Stoll, Circuit Judge). Concurring opinion filed by Circuit Judge Dyk. [482888]
		* * * * *
2/12/18	<u>77</u>	Petition for en banc rehearing filed by Appellee Iancu. Service: 02/12/2018 by email. <i>The paper copies of the petition must be filed within two bus- iness days (see Fed. Cir. R. 35(c)(4). The required paper copies should be received by the court on or before 02/14/2018</i> [497086]
		* * * * *
2/26/18	<u>79</u>	The court invites a response from Appellant Erik Brunetti to the petition for en banc re- hearing filed by Appellee in 15-1109. [501020]
3/12/18	<u>80</u>	RESPONSE of Appellant Erik Brunetti to the petition for en banc rehearing [<u>77</u>] filed by

DATE	DOCKET NUMBER	PROCEEDINGS
		Appellee Iancu in 15-1109. Service: 03/12/2018 by email. [504409]
		* * * * *
4/12/18	<u>82</u>	ORDER filed denying [77] petition for en banc rehearing filed by Iancu. By: En Banc (Per Curiam). Service as of this date by the Clerk of Court. [512775]
4/19/18	<u>83</u>	Mandate issued to the United States Patent and Trademark Office. Service as of this date by the Clerk of Court. [515355]
		* * * * *
9/7/18	<u>86</u>	Petition for writ of Certiorari filed on 09/07/2018, and placed on the docket 09/07/2018, in the Supreme Court of the United States. Supreme Court #: 18-302, Andrei Iancu v. Erik Brunetti. [548629]

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 85310960

Filing Date: 05/03/2011

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording “(if applicable)” appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	<u>fuct</u>
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	fuct
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	David Gollup

Input Field	Entered
INTERNAL ADDRESS	4315 Farm Brook Dr.
*STREET	4315 Farm Brook Dr.
*CITY	Cary
*STATE (Required for U.S. applicants)	North Carolina
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	27518
PHONE	9196292657
EMAIL ADDRESS	mostextreme@gmail.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
LEGAL ENTITY INFORMATION	
*TYPE	JOINT VENTURE
*STATE/COUNTRY WHERE LEGALLY ORGANIZED	North Carolina
APPLICANT INFORMATION	
*OWNER OF MARK	Christopher Maclachlan
INTERNAL ADDRESS	Apartment 1C
*STREET	107 Arbor Way
CITY	Cary
*STATE (Required for U.S. applicants)	North Carolina
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	27513

Input Field	Entered
PHONE	919--349-1195
EMAIL ADDRESS	ezenuf@nc.rr.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
LEGAL ENTITY INFORMATION	
*TYPE	JOINT VENTURE
*STATE/COUNTRY WHERE LEGALLY ORGANIZED	North Carolina
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	025
IDENTIFICATION	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments
*FILING BASIS	SECTION 1(b)
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS)	

Input Field	Entered
(if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
CORRESPONDENCE INFORMATION	
*NAME	David Gollup
FIRM NAME	David Gollup
*STREET	4315 Farm Brook Dr.
*CITY	Cary
*STATE (Required for U.S. applicants)	North Carolina
*COUNTRY	United States
*ZIP/POSTAL CODE	27518
PHONE	9196292657
*EMAIL ADDRESS	mostextreme@gmail.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
*SIGNATURE	/David Gollup/
*SIGNATORY'S NAME	David Gollup
*SIGNATORY'S POSITION	partner
*DATE SIGNED	05/03/2011

Input Field	Entered
*SIGNATURE	/Chris Maclachlan/
*SIGNATORY'S NAME	Chris Maclachlan
*SIGNATORY'S POSITION	partner
*DATE SIGNED	05/03/2011

PTO Form 1478 (Rev 9/2006)
OMB No. 0651-0009 (Exp 12/31/2011)

**Trademark/Service Mark Application,
Principal Register**

TEAS Plus Application

Serial Number: 85310960

Filing Date: 05/03/2011

To the Commissioner for Trademarks:

MARK: fuct (Standard Characters, see mark)

The literal element of the mark consists of fuct.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicants, David Gollup, a joint venture legally organized under the laws of North Carolina, having an address of

4315 Farm Brook Dr.,
4315 Farm Brook Dr.
Cary, North Carolina 27518
United States

Christopher Maclachlan, a joint venture legally organized under the laws of North Carolina, having an address of

Apartment 1C,
107 Arbor Way
Cary, North Carolina 27513
United States

request registration of the trademark/service mark identified above in the United States Patent and Trade-mark Office on the Principal Register established by the

Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Correspondence Information:

David Gollup
David Gollup
4315 Farm Brook Dr.
Cary, North Carolina 27518
9196292657(phone)
mostextreme@gmail.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly autho-

rized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /David Gollup/ Date Signed: 05/03/2011
 Signatory's Name: David Gollup
 Signatory's Position: partner

Signature: /Chris Maclachlan/ Date Signed: 05/03/2011
 Signatory's Name: Chris Maclachlan
 Signatory's Position: partner

RAM Sale Number: 914
 RAM Accounting Date: 05/04/2011

Serial Number: 85310960
 Internet Transmission Date: Tue May 03 14:41:55
 EDT 2011
 TEASStamp: USPTO/FTK-174.97.252.61-2011050314415597
 0902-85310960-4806e3aff2198b7f751eb9a3df
 16792a3e9-CC-914-20110503134638164090

fuct

To:	BRUNETTI, ERIK (sommer@stussy.com)
Subject:	U.S. TRADEMARK APPLICATION NO. 85310960 - FUCT - N/A
Sent:	7/3/2012 7:38:07 AM
Sent As:	ECOM111@USPTO.GOV
Attachments:	<u>Attachment - 1</u> <u>Attachment - 2</u> <u>Attachment - 3</u> <u>Attachment - 4</u> <u>Attachment - 5</u> <u>Attachment - 6</u>

**UNITED STATES PATENT AND TRADEMARK
OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S
TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 85310960

MARK: FUCT

85310960

CLICK HERE TO RESPOND TO THIS LETTER
http://www.uspto.gov/trademarks/teas/response_forms.jsp

CORRESPONDENT ADDRESS:

John R. Sommer
John R. Sommer, Attorney-at-Law
17426 Daimler Street
Irvine CA 92614

APPLICANT: BRUNETTI, ERIK

CORRESPONDENT'S REFERENCE/DOCKET NO:
N/A

CORRESPONDENT E-MAIL ADDRESS:
sommer@stussy.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER
TO AVOID ABANDONMENT OF APPLICANT'S
TRADEMARK APPLICATION, THE USPTO MUST
RECEIVE APPLICANT'S COMPLETE RESPONSE
TO THIS LETTER **WITHIN 6 MONTHS** OF THE
ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 7/3/2012

**TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS
ELECTRONICALLY OR SUBMIT FEE:** Applicants
who filed their application online using the reduced-fee
TEAS Plus application must continue to submit certain
documents online using TEAS, including responses to
Office actions. *See* 37 C.F.R. § 2.23(a)(1). For a com-
plete list of these documents, see TMEP § 819.02(b).
In addition, such applicants must accept correspondence
from the Office via e-mail throughout the examination
process and must maintain a valid e-mail address.
37 C.F.R. § 2.23(a)(2); TMEP §§ 819, 819.02(a). TEAS
Plus applicants who do not meet these requirements must
submit an additional fee of \$50 per international class of
goods and/or services. 37 C.F.R. § 2.6(a)(1)(iv); TMEP
§ 819.04. In appropriate situations and where all issues
can be resolved by amendment, responding by telephone
to authorize an examiner's amendment will not incur this
additional fee.

The referenced application has been further reviewed
by the assigned trademark examining attorney. Appli-
cant must respond timely and completely to the issue(s)
below. 15 U.S.C. § 1062(b); 37 C.F.R. §§ 2.62(a), 2.65(a);

TMEP §§ 711, 718.03. The application is unregistrable. The term FUCT is a novel spelling of a disparaging restricted vulgar term. There have been several attempts to register this term for several years but it has usually failed. **A good example is the dead application No. 78931017.** The examining attorney apologizes for not raising this issue in the previous office action. The term is obviously unregistrable as indicated below.

REFUSAL—MARK IS A VULGAR TERM

Registration is refused because the applied-for mark consists of or includes immoral or scandalous matter. Trademark Act Section 2(a), 15 U.S.C. § 1052(a); *see* TMEP § 1203.01.

The words “immoral” and “scandalous” may have somewhat different connotations; however, immoral matter has been included in the same category as scandalous matter. TMEP § 1203.01; *see In re McGinley*, 660 F.2d 481, 484 n.6, 211 USPQ 668, 673 n.6 (C.C.P.A. 1981) (Because of the court’s holding that appellant’s mark was scandalous, “it [was] unnecessary to consider whether appellant’s mark [was] ‘immoral.’ [The court] note[d] the dearth of reported trademark decisions in which the term ‘immoral’ [had] been directly applied.”).

To be considered “scandalous,” the evidence must show that a mark would be considered shocking to the sense of decency or propriety, giving offense to the conscience or moral feelings, or calling out for condemnation. *In re Mavety Media Grp. Ltd.*, 33 F.3d 1367, 1371, 31 USPQ2d 1923, 1925 (Fed. Cir. 1994); *In re Wilcher Corp.*, 40 USPQ2d 1929, 1930 (TTAB 1996); *see* TMEP § 1203.01.

A mark is immoral or scandalous when the evidence shows that a substantial composite of the general public (although not necessarily a majority) would consider the mark to be scandalous in the context of contemporary attitudes and the relevant marketplace. *See In re The Boulevard Entm't, Inc.*, 334 F.3d 1336, 1340, 67 USPQ2d 1475, 1477 (Fed. Cir. 2003); *In re Luxuria s.r.o.*, 100 USPQ2d 1146, 1148 (TTAB 2011); TMEP § 1203.01.

In this case, applicant seeks registration of FUCT for “athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps; Children’s and infant’s apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments.” The attached evidence from Urban Dictionary shows this wording is the “past tense of the verb fuck. Also used to express a general state of incapability.” Therefore, the word FUCT is scandalous because it is disparaging and a total vulgar. It is unregistrable.

Although applicant’s mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. § 2.191; TMEP §§ 304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining

attorney may not provide legal advice or statements about applicant's rights. See TMEP §§ 705.02, 709.06.

/Zachary Bello/
Attorney Advisor
Law Office 111
USPTO
571-272-9376
zack.bello@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to his application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the

complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:
Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

To: BRUNETTI, ERIK (sommer@stussy.com)

Subject: U.S. TRADEMARK APPLICATION
NO. 85310960 - FUCT - fuct,25

Sent: 1/27/2013 11:15:31 AM

Sent As: ECOM111@USPTO.GOV

Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
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**UNITED STATES PATENT AND TRADEMARK
OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S
TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 85310960

MARK: FUCT

85310960

CLICK HERE TO RESPOND TO THIS LETTER

http://www.uspto.gov/trademarks/teas/response_forms.jsp

CORRESPONDENT ADDRESS:

JOHN R. SOMMER
JOHN R. SOMMER, ATTORNEY-AT-LAW
17426 DAIMLER STREET
IRVINE CA 92614

APPLICANT: BRUNETTI, ERIK

CORRESPONDENT'S REFERENCE/DOCKET NO:

fuct,25

CORRESPONDENT E-MAIL ADDRESS:

sommer@stussy.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S
TRADEMARK APPLICATION, THE USPTO MUST
RECEIVE APPLICANT'S COMPLETE RESPONSE
TO THIS LETTER **WITHIN 6 MONTHS** OF THE
ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 1/27/2013

THIS IS A FINAL ACTION.

TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE: Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. *See* 37 C.F.R. § 2.23(a)(1). For a complete list of these documents, see TMEP § 819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. § 2.23(a)(2); TMEP §§ 819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods and/or services. 37 C.F.R. § 2.6(a)(1)(iv); TMEP § 819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner's amendment will not incur this additional fee.

This Office action is in response to applicant's communication filed on 01/02/13.

FINAL REFUSAL—MARK IS A VULGAR TERM

Registration is refused because the applied-for mark consists of or includes immoral or scandalous matter. Trademark Act Section 2(a), 15 U.S.C. § 1052(a); *see* TMEP § 1203.01. The term, which is the past tense of FUCK, is unregistrable because it is immoral and scandalous. Evidence included in the office action of 07/03/12.

The words "immoral" and "scandalous" may have somewhat different connotations; however, immoral matter has been included in the same category as scandalous

matter. TMEP § 1203.01; *see In re McGinley*, 660 F.2d 481, 484 n.6, 211 USPQ 668, 673 n.6 (C.C.P.A. 1981) (Because of the court's holding that appellant's mark was scandalous, "it [was] unnecessary to consider whether appellant's mark [was] 'immoral.' [The court] note[d] the dearth of reported trademark decisions in which the term 'immoral' [had] been directly applied.").

To be considered "scandalous," the evidence must show that a mark would be considered shocking to the sense of decency or propriety, giving offense to the conscience or moral feelings, or calling out for condemnation. *In re Mavety Media Grp. Ltd.*, 33 F.3d 1367, 1371, 31 USPQ2d 1923, 1925 (Fed. Cir. 1994); *In re Wilcher Corp.*, 40 USPQ2d 1929, 1930 (TTAB 1996); *see* TMEP § 1203.01.

A mark is immoral or scandalous when the evidence shows that a substantial composite of the general public (although not necessarily a majority) would consider the mark to be scandalous in the context of contemporary attitudes and the relevant marketplace. *See In re The Boulevard Entm't, Inc.*, 334 F.3d 1336, 1340, 67 USPQ2d 1475, 1477 (Fed. Cir. 2003); *In re Luxuria s.r.o.*, 100 USPQ2d 1146, 1148 (TTAB 2011); TMEP § 1203.01.

In this case, applicant seeks registration of FUCT for "athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps; Children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments." The attached evidence from Urban Dictionary shows this wording is the "past tense of the verb fuck. Also used to express a general state of incapability." Therefore, the word FUCT is scandalous because it is disparaging and a total vulgar. The

proposed mark is therefore, unregistrable under Section 2(a).

The applicant admits that the term is vulgar but argues it has an alternative meaning, i.e., SCREWED. The term SCREWED is also a vulgar according to many dictionaries. See attachments of the term. Also, applicant has used the term FUCT in a vulgar manner as indicated on applicant websites. See attachments labeled BEST 1-17. Where a word or phrase has multiple relevant meanings, at least one of which is arguably scandalous and at least one not, specimen use or a design element that reinforces the scandalous meaning(s) is persuasive evidence that a substantial composite of the general public will consider the term or phrase scandalous. *In re Wilcher Corp.*, 40 USPQ2d 1929, 1933-34 (TTAB 1996) (holding application for DICK HEADS with accompanying design scandalous where the design portion comprised “a graphic, readily recognizable representation of male genitalia,” and thus “the vulgar significance of applicant’s mark . . . plays a very dominant role in the commercial impression created by the mark”); see TMEP § 1203.01; *cf. In re Hershey*, 6 USPQ2d 1470, 1472 (TTAB 1988) (holding BIG PECKER not scandalous where specimens of record showed use of the mark in connection with a picture of a bird, thus reinforcing the non-scandalous meaning of PECKER as a bird). In the instant case, the applicant’s indiscriminate vulgar use supports examiner’s assertion.

Further, dictionary definitions alone may be sufficient to show that a term is vulgar if multiple dictionaries, including at least one standard dictionary, uniformly

indicate that the term's meaning is vulgar, and the applicant's use of the term is clearly limited to that vulgar meaning. *See In re The Boulevard Entm't, Inc.*, 334 F.3d at 1341, 67 USPQ2d at 1478 (holding 1-800-JACK-OFF and JACK-OFF scandalous where all dictionary definitions of "jack-off" were considered vulgar); *Boston Red Sox Baseball Club LP v. Sherman*, 88 USPQ2d 1581, 1588 (TTAB 2008) (holding SEX ROD in stylized form scandalous where multiple dictionary definitions of "rod" characterized that term vulgar, such that when preceded by the word "sex" denoted only one meaning); TMEP § 1203.01. Here, evidence from Urban Dictionary previously submitted is sufficient to conclude that the mark is unregistrable under Section 2(a). Accordingly, refusal to register under Section 2(a) is maintained and made FINAL.

OPTIONS AFTER A FINAL REFUSAL OR REQUIREMENT

Applicant must respond within six months of the date of issuance of this final Office action or the application will be abandoned. 15 U.S.C. § 1062(b); 37 C.F.R. § 2.65(a). Applicant may respond by providing one or both of the following:

- (1) A response that fully satisfies all outstanding requirements;
- (2) An appeal to the Trademark Trial and Appeal Board, with the appeal fee of \$100 per class.

37 C.F.R. § 2.64(a); TMEP § 714.04; *see* 37 C.F.R. § 2.6(a)(18); TBMP ch. 1200.

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. § 2.191; TMEP §§ 304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§ 705.02, 709.06.

/Zachary Bello/
Attorney Advisor
Law Office 111
USPTO
571-272-9376
zack.bello@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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Trademark Snap Shot Publication & Issue Review Stylesheet (Table presents the data on Publication & Issue Review Complete)			
OVERVIEW			
SERIAL NUMBER	85310960	FILING DATE	05/03/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADE- MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BELLO, ZACHARY R	L.O. ASSIGNED	111
PUB INFORMATION			
RUN DATE	06/12/2012		
PUB DATE	07/17/2012		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	06/11/2012		
LITERAL MARK ELEMENT	FUCT		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A

RENEWAL FILED		NO		RENEWAL DATE		N/A	
DATE AMEND REG		N/A					
FILING BASIS							
FILED BASIS		CURRENT BASIS		AMENDED BASIS			
1 (a)	NO	1 (a)	YES	1 (a)	NO		
1 (b)	YES	1 (b)	NO	1 (b)	NO		
44D	NO	44D	NO	44D	NO		
44E	NO	44E	NO	44E	NO		
66A	NO	66A	NO				
NO BASIS	NO	NO BASIS	NO				
MARK DATA							
STANDARD CHARACTER MARK				YES			
LITERAL MARK ELEMENT				FUCT			
MARK DRAWING CODE				4-STANDARD CHARACTER MARK			
COLOR DRAWING FLAG				NO			
CURRENT OWNER INFORMATION							
PARTY TYPE				11-SUBSEQUENT OWNER BEFORE PUBLICATION			
NAME				BRUNETTI, ERIK			
ADDRESS				8033 SUNSET BLVD. SUITE 146 LOS ANGELES, CA 90046			
ENTITY				01-INDIVIDUAL			

CITIZENSHIP				United States of America			
GOODS AND SERVICES							
INTERNATIONAL CLASS				025			
DESCRIPTION TEXT				Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps; Children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments			
GOODS AND SERVICES CLASSIFICATION							
INTER-NATIONAL CLASS	025	FIRST USE DATE	12/31/1991	FIRST USE IN COMMERCE DATE	12/31/1991	CLASS STATUS	6-ACTIVE
MISCELLANEOUS INFORMATION/STATEMENTS							
CHANGE IN REGISTRATION				NO			
PROSECUTION HISTORY							
DATE	ENT CD	ENT TYPE	DESCRIPTION			ENT NUM	
06/11/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED			027	
06/06/2012	ALIE	A	ASSIGNED TO LIE			026	
06/06/2012	ALIE	A	ASSIGNED TO LIE			025	
05/22/2012	AAUA	E	NOTICE OF ACCEPTANCE OF			024	

			AMENDMENT TO ALLEGE USE E-MAILED	
05/20/2012	CNSA	O	APPROVED FOR PUB- PRINCIPAL REGISTER	023
05/20/2012	IUAA	P	USE AMENDMENT ACCEPTED	022
05/19/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	021
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05/18/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	019
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05/16/2012	ASGN	I	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	013
12/22/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	012
12/22/2011	GNRT	O	NON-FINAL ACTION E-MAILED	011

12/22/2011	CNRT	R	NON-FINAL ACTION WRITTEN	010
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12/20/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
08/16/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
08/16/2011	GNRT	F	NON-FINAL ACTION E-MAILED	005
08/16/2011	CNRT	R	NON-FINAL ACTION WRITTEN	004
08/15/2011	DOCK	D	ASSIGNED TO EXAMINER	003
05/9/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/6/2011	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001
CURRENT CORRESPONDENCE INFORMATION				
ATTORNEY			NONE	
CORRESPONDENCE ADDRESS			John R. Sommer John R. Sommer, Attorney-at-Law 17426 Daimler Street Irvine CA 92614	
DOMESTIC REPRESENTATIVE			NONE	

PRIOR OWNER INFORMATION	
PARTY TYPE	10-ORIGINAL APPLICANT
NAME	David Gollup
ADDRESS	306B Hyde Park Court 4315 Farm Brook Dr. Cary, NC 27513
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America
PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Christopher Maclachlan
ADDRESS	Apartment 1C 107 Arbor Way Cary, NC 27513
ENTITY	05-JOINT VENTURE
CITIZENSHIP	North Carolina

DECLARATION OF ERIK BRUNETTI

I, Erik Brunetti, declare and say:

1. I make this declaration in connection with my trademark application for FUCT. My background is street culture. I was invited to create the piece “Lost” as part the 2011 Los Angeles Museum of Contemporary Art (“MOCA”) “Art In The Streets” exhibition.

2. I am the founder, owner and creator of the FUCT street fashion brand. I have been its head designer from the inception of the brand until the present.

3. The brand was founded in 1990 as a street fashion brand, part of a movement that created edger clothing, such as Stussy and Hysteric Glamour.

4. The name of the FUCT brand is an arbitrary made up word. However, to the extent I am asked for a meaning I refer to FRIENDS U CAN’T TRUST. See, Exhibit “4.”

5. The FUCT brand does not refer to “fuck” or the act of sexual intercourse.

6. In the 22 years since its creation, the FUCT brand has been sold throughout the United States and worldwide. The brand has been sold in a variety of retailers, from small skate and street fashion shops up to the worldwide retailer Urban Outfitters (see Exhibit 1 for background about Urban Outfitters) and the worldwide webstore KarmaLoop.Com (for background on KarmaLoop.Com see Exhibit 2).

7. FUCT’s products do not show anything that refers to sexual intercourse. Nor does its blog. Exhibit “3.”

In fact, there is very little in FUCT's products that could even be considered in bad taste.

8. In the 22 years of the brand's existence, it has received only one complaint about the brand being vulgar. That complaint was in the early 1990's. The absence of other complaints over 22 years, shows that FUCT is not viewed as vulgar or obscene or scandalous. None of the retailers that carry FUCT have told me that they have received complaints.

9. Other brands have done collaborations with FUCT, for example SSDD and Ebbetts Field Flannels. Exhibit "3" and Exhibit "5." Other brands that have done collaborations with FUCT are The Hundreds, David Mann, Larry Clark and Medicom.

10. They would not have done so had so had FUCT been vulgar or scandalous or obscene.

11. Even if FUCT is considered equivalent to FUCKED or FUCKED UP, those uses are not vulgar. Exhibit "6."

12. The word "fucked" means "to be cheated" or the same meaning as "screwed" or "everything is messed up." I am informed that the U.S. Patent & Trademark Office does not consider "screwed" to be vulgar since it has approved a number of registrations. Exhibit "7." So my brand should not be discriminated against.

13. The failure to allow FUCT to be registered makes it more difficult to protect the FUCT brand in the USA and worldwide.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

/s/ ERIK BRUNETTI
ERIK BRUNETTI

Exhibit 4

Fuct The Friends You Cant Trust Tee in Black : KarmaLoop.com - Glob... <http://www.karmaloop.com/product/The-Friends-You-Cant-Trus>



30% OFF + FREE SHIPPING!

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Estevan Oriol The LA Fingers Tee \$24.00	MARKING The Vices Tee in White \$22.00	KLP The Kid Cudi Moon Face Tee \$25.00	MADE IN USA Fuct The Dead Boy Tee \$13.95 \$28.00 50% off	MADE IN USA Fuct The Every Man Has His Price Tee \$15.95 \$28.00 43% off	MADE IN USA Fuct The Power Shift By Red 67M Tee \$15.95 \$28.00 43% off

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SITE MAP		FLICKR	GET OUR APPS	REP TEAM		SHIPPING
VERSION: 12.11.15.1075						RETURNS



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Fuck

From Wikipedia, the free encyclopedia
(Redirected from *Fuck* (word))

*This article is about the **profanity**. For other uses, see *Fuck* (disambiguation).*

Fuck in its literal meaning refers to the act of **sexual intercourse**. It is an **English** word that is almost universally considered **vulgar**. It is often used as a profanity, either to denote disdain or as an intensifier.

The origin of the word is obscure. It is usually considered to be first attested to around 1475, but it may be considerably older. In modern usage, *fuck* and its derivatives (such as *fucker* and *fucking*) can be used in the position of a **noun**, a **verb**, an **adjective** or an **adverb**. There are many common phrases which make use of the word, as well as a number of **compounds** incorporating it, such as *motherfucker*.

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Offensiveness

The word's use is considered obscene in social contexts, but may be common in informal and domestic situations. It is unclear whether the word has always been considered **vulgar**, and if not, when it first came to be used to describe (often in an extremely angry, hostile or belligerent manner) unpleasant circumstances or people in an intentionally offensive way, such as in the term *motherfucker*, one of its more

benighted mannerly unpleasant circumstances or people in an intentionally offensive way, such as in the term *motherfucker*, one of its more common usages in some parts of the *English-speaking world*. In the modern *English-speaking world*, the word *fuck* is often considered highly offensive. Most English-speaking countries censor it on television and radio. A study of the attitudes of the British public found that *fuck* was considered the third most severe profanity and its derivative *motherfucker* second. *Cunt* was considered the most severe (Hargrave, 2000). Some have argued that the prolific usage of the word *fuck* has de-vulgarized it, an example of the "dysphemism treadmill." Despite its offensive nature, the word is common in popular usage.

The term remains a *taboo* word to many people in English-speaking countries. The word also carries a sacrilegious connotation to some. ^[*citation needed*] Many religious people oppose the use of profane, vulgar, and "curse" words which they see as offensive to a deity. It is considered highly offensive to utter the word in the presence of children.

The *Canadian Press* now considers the word to be commonplace and has added usage advice to the *Canadian Press Caps and Spelling* guide.^[1]

Etymology

The *Oxford English Dictionary* states that the ultimate etymology is uncertain, but that the word is "probably cognate" with a number of native *Germanic* words with meanings involving striking, rubbing, and having sex.^[2]

"Flen, flyys and freris"

The usually accepted first known occurrence is in *code* in a poem in a mixture of *Latin* and English composed some time before 1600. The poem, which satirizes the *Carmelite* friars of Cambridge, England, takes its title, "*Flen flyys*", from the first words of its opening line, *Flen, flyys, and freris* (= "*Fleas, flies, and friars*"). The line that contains *fuck* reads *Non sunt in coeli, quia gxddbvx xxkxzt pg ifmk*. Removing the *substitution cipher* (here, replacing each letter by the next letter in *alphabetical order*, as the English alphabet was then) on the phrase "*gxddbvx xxkxzt pg ifmk*" yields *non sunt in coeli, quia fvccant vivvys of heli*, which translated means, "They are not in heaven because they fuck wives of *Ely*".^[3] The phrase was coded likely because it accused some Church personnel of misbehaving; it is uncertain to what extent the word *fuck* was considered acceptable at the time. (The stem of *fvccant* is an English word used as Latin; English *medieval Latin* has many examples of writers using English words when they did not know the Latin word: "*workmannus*" is an example.) (In the *Middle English* of this poem, the term *wife* was still used generically for "woman.")

Older etymology

Via Germanic

The word has probable *cognates* in other Germanic languages, such as *German ficken* (to fuck); *Dutch fokken* (to breed, to strike, to beget); dialectal *Norwegian fukka* (to copulate), and dialectal *Swedish focka* (to strike, to copulate) and *fock* (*penis*).^[4] This points to a possible etymology where *Common Germanic fuk-* comes from an *Indo-European* root meaning "to strike", cognate with non-Germanic words such as Latin *pugnus* "fist".^[5] By reverse application of *Grimm's law*, this hypothetical root has the form "*pug-*". In early *Proto-Germanic* the word was likely used at first as a slang or euphemistic replacement for an older word for "intercourse," and then became the usual word for "intercourse".^[*citation needed*]

Yet another possible etymology is from the Old High German word *pfuog*, meaning "to plow, as in a field." This is supported in part by a book by Carl Jung, *Psychology of the Unconscious: A Study of the Transformations and Symbolisms of the Libido*, in which he discusses the "primitive play of words" and the *phallic* representation of the plough, including its appearance on a vase found in an *archaeological* dig near Florence, Italy, which depicts six erect-penis men carrying a plow.

The original *Indo-European* root for *to copulate* is likely to be **h₂yebʰ-* or **h₂eybʰ-*, which is attested in *Sanskrit* यमति (*yabhati*), Russian *ебать* (*yebat'*), Polish *jechać*, and Serbian *jebarati* (*yebeti*), among others: compare the Greek verb *οἶνω* (*oîno*) = "I have sex with", and the Greek noun *Ζέφυρος* (*Zēphuros*) (which references a Greek belief that the west wind *Zephyrus* caused pregnancy).

Via Latin or Greek

- Other possible connections are to Latin *future* (almost exactly the same meaning as the English verb "to fuck"); but it would have to be

- Other possible connections are to Latin *future* (almost exactly the same meaning as the English verb "to fuck"), but it would have to be explained how the word reached **Scandinavia** from Roman contact, and how the *f* became *k*.^[*citation needed*] From *future* came **French** *foutre*, **Catalan** *forre*, **Italian** *fottere*, **Romanian** *future*, vulgar peninsular **Spanish** *foliar* and *joder*, and **Portuguese** *foder*. However, there is considerable doubt and no clear lineage for these derivations. These roots, even if cognates, are not the original Indo-European word for to copulate, but **Walter Young** (who agrees that these words are related) argues that they derive from the Indo-European **bʰu-* or **bʰu-* ("be", "become"), or as causative "create" [see Young, 1964]. A possible intermediate might be a Latin 4th-declension verbal noun **lutus*, with possible meanings including "act of (pro)creating".
- Greek *φύω* (*phúō*) has various meanings, including (of a man) "to beget", or (of a woman), "to give birth to".^[4] Its perfect *πεφυκα* (*méφυκα*) can be likened^[*citation needed*] to "fuck" and its equivalents in other Germanic languages.^[4]

False etymologies

One reason that the word *fuck* is so hard to trace etymologically is that it was used far more extensively in common speech than in easily traceable written forms. There are several **urban-legend false etymologies** postulating an **acronymic** origin for the word. None of these acronyms was ever recorded before the 1960s, according to the authoritative lexicographical work *The F-Word*, and thus are **backronyms**. In any event, the word *fuck* has been in use far too long for some of these supposed origins to be possible. Some of these urban legends are that the word *fuck* came from **Inish** law. If a couple were caught committing **adultery**, they would be punished "For Unlawful Carnal Knowledge In the Nude," with "FUCKIN" written on the **stocks** above them to denote the crime. A similar variant on this theory involves the recording by church clerks of the crime of "Forbidden Use of Carnal Knowledge." Another theory is that of a royal permission. During the **Black Death** in the **Middle Ages**, towns were trying to control populations and their interactions. Since uncontaminated resources were scarce, many towns required permission to have children. Hence, the legend goes, that couples that were having children were required to first obtain royal permission (usually from a local magistrate or lord) and then place a sign somewhere visible from the road in their home that said "Fornicating Under Consent of King," which was later shortened to "FUCK." This story is hard to document, but has persisted in oral and literary traditions for many years; however, it has been demonstrated to be an urban legend.^[5]

Early usage

Its first known use as a verb meaning to have sexual intercourse is in "**Flen flyys**," written around 1475.

William Dunbar's 1503 poem "Ersh of Wowing" includes the lines: "Yit be his feiris he wald haue fukkit: / Ye brek my hait, my bony ane" (ll. 13–14).

John Florio's 1598 Italian-English dictionary, *A Worlde of Wordes*, included the term, along with several now-archaic, but then-vulgar synonyms, in this definition:

- Fottare: *To jape, to sard, to fucke, to swive, to occupy.*

Of these, "occupy" and "jape" still survive as verbs, though with less profane meanings, while "sard" was a descendant of the Anglo-Saxon verb *seorðan* (or *seorðan*, <ON *serða*), to copulate; and "swive" had derived from earlier *swifan*, to revolve i.e. to swivel (compare modern-day "screw").

While **Shakespeare** never used the term explicitly, he hinted at it in comic scenes in a few plays. *The Merry Wives of Windsor* (IV.i) contains the expression *focative case* (see *vocative case*). In *Henry V* (IV.iv), Pistol threatens to *firk* (strike) a soldier, a euphemism for *fuck*.

Rise of modern usage

Though it appeared in **John Ash**'s 1775 *A New and Complete Dictionary*, listed as "low" and "vulgar," and appearing with several definitions,^[6] *fuck* did not appear in any widely-consulted dictionary of the English language from 1795 to 1965. Its first appearance in the *Oxford English Dictionary* (along with the word *cunt*) was in 1972. There is anecdotal evidence of its use during the *American Civil War*.^[*citation needed*]

Modern usage

[http://en.wikipedia.org/wiki/Fuck_\(word\)](http://en.wikipedia.org/wiki/Fuck_(word)) 01/26/2013 08:50:02 AM

Most literally, to *fuck* is to *copulate*, but it is also used as a more general *expletive* or intensifier. Some instances of the word can be taken at face value, such as "Let's fuck," "I would fuck her/him," or "He/she fucks." Other uses are *dysphemistic*: The sexual connotation, usually connected to *masturbation* (in the case of "go fuck yourself" or "go fuck yourself in the ass"), is invoked to incite additional disgust, or express anger or outrage. For example, "Fuck that!", "Fuck no!", "Fuck off!", or "Fuck you!" By itself, *fuck* is usually used as an exclamation, indicating surprise, pain, tear, disgust, disappointment, anger, or a sense of extreme elation. In this usage, there is no connection to the sexual meaning of the word implied, and is used purely for its "strength" as a vulgarity. Additionally, other uses are similarly vacuous; *fuck* (or variations such as *the fuck* or *fuckin'*) could be removed and leave a sentence of identical *syntactical* meaning. For example, rap music often uses the word *fucking* as an emphatic adjective ("I'm the fucking man") for the word's *rhythmic* properties.

Insertion of the *trochaic* word *fucking* can also be used as an exercise for diagnosing the *cadence* of an English-language word. This is the use of *fuck* or more specifically *fucking* as an *infix*, or more properly, a *tnesis* (see *expletive infixation*). For example, the word *in-fucking-credible* sounds acceptable to the English ear, and is in fairly common use, while *incred-fucking-ible* would sound very clumsy (though, depending on the context, this might be perceived as a humorous *improvisation* of the word). *Also-fucking-lutely* and *motherfucking* are also common uses of *fuck* as an *affix*. While neither dysphemistic nor connected to the sexual connotations of the word, even the vacuous usages are considered offensive and gratuitous, and censored in some media; for example, "None of your fucking business!" or "Shut the fuck up!" A common insult is "Get fucked", which in a non-offensive context would translate as "get stuffed." The word is one of the few that has legitimate colloquial usage as a *verb*, *adverb*, *adjective*, *command*, *conjunction*, *exclamatory*, *noun* and *pronoun*.

In another usage, the word *fucker* is used as a term of endearment rather than antipathy. This usage is not uncommon; to say "you're one smart fucker" is often a term of affection. However, because of its ambiguity and vulgarity, the word *fucker* in reference to another person can easily be misinterpreted. Though *fuck* can serve as a noun, the *fucker* form is used in a context that refers to an individual. Normally in these cases, if *fuck* is used instead of *fucker*, the sentence refers to the sexual ability of the subject (for example, "He's a great fuck") although confusingly in a minority of occasions the word "fuck" can hold exactly the same meaning as *fucker* (e.g., when preceded by an adjective: "You're a pretty clever fuck").

Related to *fucker* is the word *motherfucker*. Sometimes used as an extreme insult—an accusation of *incest*—this term is also occasionally used to connote respectful awe. For example, "He's a mean motherfucker" does not mean "He's abusive, filthy and copulates with his mother," but "He's someone to be afraid of." In this context, some *gang* members might even describe themselves as "motherfuckers." The word *fuck* is used in many forms of music, with *motherfucker* being used as a *rhythmic* filler in *hip hop*, *urban music* and some rock genres: examples include The Crystal Method's song "Name of the Game" and Turbonegro's "Don't Say Motherfucker Motherfucker". Perhaps *motherfucker*'s rhythmic compatibility is due to its *quadrisyllabic pronunciation*, making it a natural fit for popular music that is written in 4/4 *metro*. Also contributing to its use in aggressive, high-energy music is the fact that it includes a hard "k" sound in its third syllable, making it easy to exclaim, particularly when pronounced as "mutha fucka". Despite these rhythmic qualities, *motherfucker* has not become as accepted in English usage as its root *fuck*.

A more succinct example of the flexibility of the word is its use as almost every word in a sentence. In his book, *Wartime: Understanding and Behavior in the Second World War*, Paul Fussell, literary *historian* and professor emeritus of *English literature* at the *University of Pennsylvania*, recounted

Once, on a misty Scottish airfield, an *airman* was changing the *magneto* on the engine of a *Wellington bomber*. Suddenly his wrench slipped and he flung it on the grass and snarled, "Fuck! The fucking fucker's fucked." The bystanders were all quite well aware that he had stripped a bolt and skinned his knuckles.^[7]

The phrase "Fuck you, you fucking fuck!" is a memorable quote from the movie *Blue Velvet* from 1986, and is still used today as heard in Strapping Young Lad's "You Suck" from their 2006 album *The New Black*. Another example is "Fuck the fucking fuckers!" Because of its vulgar status, the word *fuck* is usually restricted in mass media and barred from titles in the *United States*. In 2002, when the controversial French film *Baise-moi* (2000) was released in the US, its title was changed to *Rape Me*, rather than the literal *Fuck Me*, though this may have been for effect. Similarly, the Swedish film *Fucking Åmål* was retitled *Show Me Love*.

Online forums and public *blogs* may censor the word by use of *automatic filters*. For example, *Fark.com* replaces the word *fuck* with *fark*. Others replace the word with *asterisks* (****) to censor it (and other profanities) entirely. To avert these filters, many online posters will use

Others replace the word with **asterisks** ("****") to censor it (and other profanities) entirely. To avert these filters, many online posters will use the word *fvck*. This particular alteration is in common usage at the *Massachusetts Institute of Technology*, where students use it in reference to the inscriptions on MIT's *neoclassical* buildings, in which the letter *U* is replaced by *V*. A typical coinage in this idiom would be "I'm fvcked by the Institte." (Other less common spellings to cheat a censor are "fvck" and "phvck".) Another way to bypass a word filter is to use *leet*: fvck becomes F() c|< or |=()Ck, for example.

The word *fuck* is a component of many *acronyms*, some of which—like *SNAFU* and *FUBAR*—date as far back as *World War II*. Many more recent coinages, such as the shorthand "*WTF?*" for "what the fuck?," "*STFU*" for "shut the fuck up," or "FML" for "fuck my life," have been widely extant on the *Internet*, and may count as examples of *memes*. Many acronyms will also have an "F" or "MF" added to increase emphasis; for example, "OMG" ("oh my God") becomes "OMFG" ("oh my fucking God"). Abbreviated versions of the word tend not to be considered as offensive. Despite the proclaimed vulgarity of the word, several comedians rely on *fuck* for comedic routines. *George Carlin* created several literary works based upon the word. Other comedians who use or used the word consistently in their routines include *Billy Connolly*, *Denis Leary*, *Lewis Black*, *Andrew Dice Clay*, *Chris Rock*, *Richard Pryor*, *Eddie Murphy*, and *Sam Kinison*.

Examples of more recent usage

In 1926, D. H. Lawrence's novel *Lady Chatterley's Lover* gained notoriety for its frequent use of the words *fuck*, *fucked*, and *fucking*.^[*citation needed*]

Perhaps the earliest usage of the word in popular music was the 1938 *Eddy Duchin* release of the *Louis Armstrong* song "Ol' Man Mose."^[*citation needed*]

The liberal usage of the word (and other vulgarisms) by certain artists (such as *James Joyce*, *Henry Miller*, *Lenny Bruce*, *Peter Cook* and *Dudley Moore*, in their *Derek and Clive* personas) has led to the banning of their works and criminal charges of *obscenity*.^[*citation needed*]

The Catcher in the Rye by J. D. Salinger featured the use of *fuck you* in print. First published in the United States in 1951, the novel remains controversial to this day due to its use of the word, standing at number 13 for the most banned books from 1990–2000 according to the American Library Association.^[8]

The first documented use of the word *fuck* on live British television (and probably on any television system) has been attributed to theatre critic *Kenneth Tynan* in 1965. Controversy also ensued in 1976 when *Today* host *Bill Grundy* interviewed the *Sex Pistols*, after guitarist *Steve Jones* called Grundy a "dirty fucker" and a "fucking rotter"^[9] (see *EMI and the Grundy incident*).

Use in politics

Fuck is not widely used in politics, and any use by notable politicians tends to produce controversy. Some events of this nature include:

- In 1965, U.S. President *Lyndon B. Johnson* said to the Greek ambassador *Alexandros Matsas* when he objected to American plans in *Cyprus*, "Fuck your parliament and your constitution. America is an elephant. Cyprus is a flea. Greece is a flea. If these two fellows continuo itching the elephant they may just get whacked by the elephant's trunk, whacked good."^{[10][11]}
- During the 1968 Democratic National Convention, Chicago mayor *Richard Daley* became so enraged by a speech from *Abraham A. Ribicoff* that he shouted "Fuck you!"^[12] Daley would later claim that he was shouting "you fink, you" and calling Ribicoff a "faker".^[13] On the first night of this same convention, which was President Johnson's birthday, a huge crowd of thousands of *yippies*, *hippies* and anti-Vietnam war protesters was famously filmed while simultaneously roaring "Fuck you, Lyndon Johnson!"^{[14][15][16]}
- During debate in February 1971 in the Canadian House of Commons, Canadian Prime Minister *Pierre Trudeau* mouthed the words "fuck off" under his breath (perhaps almost silently) at Conservative MP *John Lundrigan*, while Lundrigan made some comments about unemployment. Afterward, when asked by a television reporter what he had been thinking, Trudeau famously replied "What is the nature of your thoughts, gentlemen, when you say 'fuddle duddle' or something like that?". "Fuddle duddle" consequently became a catchphrase in Canadian media associated with Trudeau.^[17]
- The first accepted modern use in the British House of Commons came in 1962 when *Reg Race*, Labour MP for *Wood Green*, referred to adverts placed in local newspapers by *prostitutes* which read "Phone them and fuck them." *Hansard*, the full record of debates, printed "F*** them", but even this euphemism was deprecated by the Speaker, *George Thomas*.^[18]
- Shortly after *Tony Blair* was elected Leader of the Labour Party, the then left-wing Labour MP *George Galloway* told a public meeting "I don't give a fuck what Tony Blair thinks" when questioned about the party's move to the right.^[19]

- In late 2003, US presidential candidate [Senator John Kerry](#) used the word *fuck* in an interview with [Rolling Stone](#). Referring to his vote in favor of the resolution authorizing [President George W. Bush](#) to use military force in Iraq, Senator John Kerry stated, "I voted for what I thought was best for the country. Did I expect [Howard Dean](#) to go off to the left and say, 'I'm against everything'? Sure. Did I expect George Bush to fuck it up as badly as he did? I don't think anybody did."^[20]
- In June 2004, during a heated exchange on the U.S. Senate floor about [Halliburton's](#) role in the reconstruction of Iraq, [Vice President Dick Cheney](#) told Democratic senator [Patrick Leahy](#), "Go fuck yourself." Coincidentally, Cheney's outburst occurred on the same day that the Defense of Decency Act was passed in the Senate.^[21]
- In February 2006 (Australia), [New South Wales Premier Morris Iemma](#), while awaiting the start of a [Council of Australian Governments](#) media conference in [Canberra](#), was chatting to Victorian Premier [Steve Bracks](#). Not realizing cameras were operating he was recorded as saying "Today? This fuckwit who's the new CEO of the [Cross City Tunnel](#) has ... been saying what controversy? There is no controversy."^[22] The exchange referred to the newly appointed CEO of a recently-opened toll road within [Sydney](#).
- On January 31, 2007, New York Governor [Eliot Spitzer](#) angrily retorted to Assembly Minority Leader [James Tedisco](#), "Listen, I'm a fucking eteamroller, and I'll roll over you and anybody else." According to *The New York Post*, Spitzer confirmed the exchange the following day.^[23]
- In 2007, U.S. Senator [John Cornyn](#) objected to [John McCain's](#) perceived intrusion upon a Senate meeting on immigration, saying, "Wait a second here. I've been sitting in here for all of these negotiations and you just parachute in here on the last day. You're out of line." McCain, known for his short temper,^[24] replied, "Fuck you! I know more about this than anyone else in the room."^{[25][26]}
- In April 2007, [New Zealand](#) Education Minister [Steve Maharey](#) said "fuck you" to a fellow MP during parliamentary question time.^[27] He apologized shortly afterwards.
- In December 2008, recorded telephone conversations revealed Illinois Governor [Rod Blagojevich](#) trying to "sell" an appointment to the Senate seat that [Barack Obama](#) resigned after being elected President. In the phone conversation, Blagojevich said in reference to his power to appoint a new senator, "I've got this thing and it's fucking golden and I'm just not giving it up for fuckin' nothing." In the recorded conversations, Blagojevich also referred to Obama as a "motherfucker" and repeatedly said "fuck him." When speaking of the Obama administration's request that [Valerie Jarrett](#) be appointed as Obama's replacement, Blagojevich complained, "They're not willing to give me anything except appreciation. Fuck them." Blagojevich also said [Tribune Company](#) ownership should be told to "fire those fuckers" in reference to *Chicago Tribune* editors critical of him.^[28]
- In December 2009 in [Dáil Éireann](#), [Paul Gogarty](#) responded to heckles from [Emmet Stagg](#) with the outburst, "With all due respect, in the most [unparliamentary language](#), fuck you, Deputy Stagg. Fuck you."^{[29][30]} Gogarty immediately withdrew the remarks and later made a personal statement of apology.^[29] Reportage of the outburst quickly spread by media and the Internet.^[30] A subcommittee of the Dáil's [standing committee](#) on procedure and privilege produced a 28-page report on the incident.^[30]
- On March 23, 2010, U.S. vice president [Joe Biden](#) whispered into President [Barack Obama's](#) ear, "This is a big fucking deal" when referring to the U.S. health care reform bill. His words were picked up by microphones and video.^[31]
- On May 3, 2010, Canadian senator [Nancy Ruth](#) advised representatives of women's groups to "shut the fuck up on" access to abortion, in the run-up to the [36th G8 summit](#).^[32]

Use in marketing

In April 1997, clothing retailer [French Connection](#) began branding their clothes "fcuk" (usually written in lowercase). Though they insisted it was an acronym for French Connection United Kingdom, its similarity to the word "fuck" caused controversy.^[33] French Connection fully exploited this and produced an extremely popular range of t-shirts with messages such as "fcuk this", "hot as fcuk", "mile high fcuk", "fcuk me", "fcuk her", "too busy to fcuk", "fcuk football", "fcuk fashion", "fcuk fear", "fcuk on the beach", "the joy of fcuk", etc.

In 2009, the European Union's [OHIM](#) trade marks agency disallowed a German brewery to market a beer called "Fucking Hell". They sued, and on 28 March 2010 got permission to market the beer. They claim that it is actually named after the [Austrian village Fucking](#) and the German term for light beer, *hell*.^[34]

Band names

The word "fuck" has been used in a number of band names, generally based on common compounds. Although most of these bands are in the aggressive, non-mainstream genres of [punk](#) and [metal](#), others fall into the categories of more accessible forms of [electronic rock](#) and

the aggressive, non-mainstream genres of **punk** and **metal**, others fall into the categories of more accessible forms of **electronic rock** and **pop**.^{[where?[?]][35]}

Holy fuck

"**Holy fuck**" is a widely used example of liturgical profanity used interjectionally to express anger, contempt, disgust, or amazement. Usually vulgar.^[36] Noted by academics^{[37][38]} and used in literature,^{[39][40][41]} deriving its power from a combination of the sacred, *holy*, and the profane, *fuck*. An exclamation, similar to "**holy shit**", but more offensive, also used informally for sex within a religious context.^{[*obvious-discuss*][42]}

Machine mistranslation

The word *fuck* occurs sometimes in Chinese/English bilingual public notices in China as a machine translation of the **Simplified Chinese** character 干 (干) or **Traditional Chinese** character 幹 (幹) which can also mean "dry" and "do," e.g., "spread to fuck the fruit" for "loose dried fruit," "fuck to adjust the area" for "dry seasonings section," and "fuck the certain price of goods" for "dry foods price counter" The fault occurred in some versions of commonly-used Chinese to English *machine translators*, for example Jinshan (金山 = "Gold Mountain") by Kingsoft.^[43]

F-bomb

The term "F-bomb" surfaced in newspapers more than 20 years ago^{[when?[?]]} and in 2012 was listed, for the first time, in the mainstream *Merriam-Webster's Collegiate Dictionary*.^[44]

Censorship

The films *Ulysses* and *I'll Never Forget What's/His/Name* (both 1967) are contenders for being the first film to use the word 'fuck', although the word 'fucking' is clearly mouthed silently in the film *Sink the Bismarck!* (1960), and the title character says it in the cartoon *Bosko's Picture Show* (1933). Since the U.S. adoption of the **MPAA film rating system**, use of the word has been accepted in R-rated movies, and under the older rules, use of the word in a sexual way would automatically cause the film to be given an R rating. Later changes could allow for a maximum of three non-sexual and strictly exclamatory uses of the word in **PG-13 movies**.^[citation needed]

On August 19, 1969 the **acid rock** band *Jefferson Airplane* played their song *We Can Be Together* uncensored on *The Dick Cavett Show*, including the 60's countercultural slogan "Up against the wall, motherfucked" (which was also *the name of an anarchist group* at that time). This was the first appearance of the word on U.S. television.^[45]

In 1970, **John Lennon** successfully got the word past the censors on his song "*Working Class Hero*" with the lines "They hate you if you're clever and they despise a fool, till you're so fucking crazy you can't follow their rules" and "You think you're so clever and classless and free, but you're still fucking peasants as far as I can see."

Since the 1970s, the use of the word "fuck" in R-rated movies has become so commonplace in mainstream American movies that it is rarely noticed by most audiences. Nonetheless, a few movies have made exceptional use of the word, to the point where such films as *Fuck*, *Good Will Hunting*, *Casino*, *The Last Detail*, *Menace II Society*, *The Big Lebowski*, *The Departed*, *Scarface* (1983), *Pulp Fiction*, *Blue Velvet*, *South Park: Bigger, Longer & Uncut*, and *Goodfellas* as well as the HBO TV series *The Sopranos* are known for its extensive use. In the movie *Meet the Parents*, and its sequels *Meet the Fockers* and *Little Fockers*, the main character's last name of "Focker" is a running joke. In the popular comedy *Four Weddings and a Funeral*, it is the chief word, repeatedly uttered, during the opening five minutes. In HBO's TV series *The Wire*, Season 1, Episode 4, entitled "*Old Cases*," there is a long segment in which two homicide detectives, visiting a crime scene, communicate using only variations of the word "fuck". To many, one of the most humorous tirades demonstrating various usages of the word appears in the comedy, *Planes, Trains & Automobiles* (1987), where **Steve Martin** expresses his dissatisfaction in his treatment by a rental car agency. The movie *Student Bodies* inserted a scene in the middle of the film to explain to audiences that movies with an R rating are more popular than those carrying a PG rating, which the movie could easily have had. He ends his address with, "... the producers of this motion picture have asked me to take this opportunity to say "Fuck you", at which time the MPAA R-rating banner appeared.

In several **PG-rated** movies, however, the word is used, mainly because at the time there was no PG-13 rating and the MPAA did not want

In several **R**-rated movies, however, the word is used, mainly because at the time there was no **R**-13 rating and the MPAA did not want to give the films R ratings; for instance, *All the President's Men* (1976), where it is used seven times; *The Kids Are Alright* (1979), where it is used twice; and *The Right Stuff* (1993), where it is used five times. *Spaceballs* (1987) is one of at least four anomalies in that it was rated PG after the 1984 introduction of the PG-13 rating, yet it includes *Dark Helmet's* line, "Out of order?! Fuck! Even in the future nothing works!" The second is *Big* (1988) which has the character of Billy asking Tom Hanks' character, "Who the fuck do you think you are?" The third is *Beetlejuice* (1988) which has the character Beetlejuice kick over a fake tree and scream, "nice fucking model!"^[46] The fourth is 1988's *Caddyshack II* where *Randy Quaid's* character shouts out he is going to break down a door with a "fucking baseball bat."

In the 1999 film "Galaxy Quest," *Sigourney Weaver's* character Gwan DeMarco is edited from the line "Well, fuck that!" to "Well, screw that!" The change was made to avoid a PG-13 rating, and the original line is obvious when reading her lips.

Films edited for broadcast use matching euphemisms so that *lip synching* will not be thrown off. One televised version of *Quentin Tarantino's Jackie Brown*, for instance, had the actors dub in the words *frick*, *Nubian*, and *melon farmer for fuck*, *nigger*, and *motherfucker*, respectively. In similarly dubbed versions of *Die Hard* and *Die Hard 2*, *Bruce Willis's* catchphrase "Yippee-ki-yay, motherfucker" is replaced by "Yippee-ki-yay, Mister Falcon" or "Yippee-ki-yay, Kemo Sabe." Similarly, the TV broadcast edit of *Snakes on a Plane* has *Samuel L. Jackson* saying "I have had it with these monkey-fighting snakes on this Monday-to-Friday plane," emending two occurrences of *motherfucking*.^[47] In the film *The Big Lebowski*, *John Goodman's* character repeatedly yells, "This is what happens when you fuck a stranger in the ass" while trashing a car. It was infamously censored on television as "This is what happens when you find a stranger in the Alps."^[48] His character also repeatedly says to *Steve Buscemi's* character, "Shut the fuck up, Donny," or "Donny, shut the fuck up." In the television version, *fuck* is censored with *hell*.

Many *stand-up comedians* who perform for adult audiences make liberal use of the word *fuck*. While *George Carlin's* use of the word was an important part of his stage persona, other comedians (such as *Andrew Dice Clay*) have been accused of substituting vulgarity and offensiveness for genuine creativity through overuse of the word. *Billy Connolly* and *Lenny Bruce* were pioneers of the use of the word in their shows for general audiences.

Recently, the hip-hop group *Black Eyed Peas'* hit song "Don't Phunk With My Heart" was only played on many radio stations in an edited version, "Don't Mess With My Heart." *James Blunt's* first major song, *You're Beautiful*, featured the line "she could see from my face that I was fucking high" – this was censored to "flying high" for broadcasting purposes.

Freedom of expression

In 1971, the U.S. Supreme Court decided that the mere public display of *fuck* is protected under the *First* and *Fourteenth Amendments* and cannot be made a criminal offense. In 1968, Paul Robert Cohen had been convicted of "disturbing the peace" for wearing a jacket with "FUCK THE DRAFT" on it (in reference to conscription in the *Vietnam War*). The conviction was upheld by the Court of Appeals and overturned by the Supreme Court. *Cohen v. California*, 403 U.S. 15 (1971).

In 1983, pornographer *Larry Flynt*, representing himself before the U.S. Supreme Court in a *libel* case, shouted, "Fuck this court!" during the proceedings, and then called the justices "nothing but eight assholes" (referring to Justices *Warren E. Burger*, *William J. Brennan, Jr.*, *Byron White*, *Thurgood Marshall*, *Harry Blackmun*, *Lewis F. Powell, Jr.*, *William Rehnquist*, and *John Paul Stevens*) and a *token cunt* (referring to Justice *Sandra Day O'Connor*). Chief Justice Warren E. Burger had him arrested for contempt of court, but the charge was later dismissed on a technicality.^[49]

Common alternatives

Main article: Mined oath

In conversation or writing, reference to or use of the word *fuck* may be replaced by any of many alternative words or phrases, including "the F-word" or "the F-bomb" (a play on "A-bomb" and "H-bomb"), or simply, *eff* (as in "What the eff!" or "You effing fool!"). Also, there are many commonly used substitutes, such as *flipping*, *frigging*, *fricking*, *freaking*, *feck*, *fudge* or any of a number of similar sounding nonsense words. In print, there are alternatives such as, "F****", "F—k", etc.; or a string of non-alphanumeric characters, for example, "@\$#%" and similar (especially favored in *comic books*).^[*citation needed*]

A common replacement word used mainly on the Internet is "fck", derived from the name of the Unix file system checking utility.^[*source?*] In

A common replacement word used mainly on the internet is "fuck", derived from the name of the Unix file system directory *"/* in *Battlestar Galactica* the bowdlerized form "Frack" (spelt "Frak" in the reimagined 2003 version) was used as a substitute for fuck. The word is sometimes jokingly used as a curse by fans, but its use in unrelated media is growing.^[51] Similarly, the word "frell" is used as a substitute on the TV show *Farscape*, and Dr. Elliot Reid (played by Sarah Chalke) has frequently used the substitute "frick" on the TV show *Scrubs*. The phrase *feck* is a common substitute for fuck in Ireland, where it is considered to be less rude, though still not acceptable in many contexts. It has come into occasional use across the UK in the last 15 years as a result of its frequent use in the *Father Ted* comedy series. Although the word is considered to be equally as rude as fuck, its appearance in *Father Ted* and in a *Magners Cider* advert suggest the opposite.

The word *firefuck* is also used as an alternative, starting with "f" and ending with "uck".

Using the *phonetic alphabet*, "foxtrot uniform charlie kilo" is sometimes used.^[*citation needed*]

See also

- Bleep censor
- Censorship
- Euphemism
- List of films that most frequently use the word "fuck"
- feuk*, a brand of clothing
- Finger (gesture)*, a related hand gesture
- Four-letter word
- For Unlawful Carnal Knowledge*, 1991 album by American rock band Van Halen
- Fucking, Austria (name of a village)
- Harcourt interpolation
- John le Fucker
- Madonna on *Late Show with David Letterman*
- Profanity
 - Profanity by language
 - Profanity in American Sign Language
 - Profanity in English language
 - Profanity in science fiction
- Seven dirty words
- Sexual slang

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- Fuck* – documentary film by Steve Anderson (THINKFilm 2005)

External links

- Re: the Cheney-Leahy incident, [slate.com](#) [↗](#) discusses how American newspapers decide whether or not to print fuck.
- "Online Etymology Dictionary" [↗](#) Some etymological research on the word fuck
- Fuck [↗](#), academic paper exploring the legal implications of the word, by Christopher M. Farman, Ohio State University – Michael E. Montz College of Law March 2006. Ohio State Public Law Working Paper No. 59.
- [Archive.org](#) [↗](#) – Jack Wagner, "The Word Fuck".

Wiktionary has a definition for: **fuck**
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Y·T·E Sexual slang [show]

Categories: Profanity | Sexual slang | Interjections | Sex

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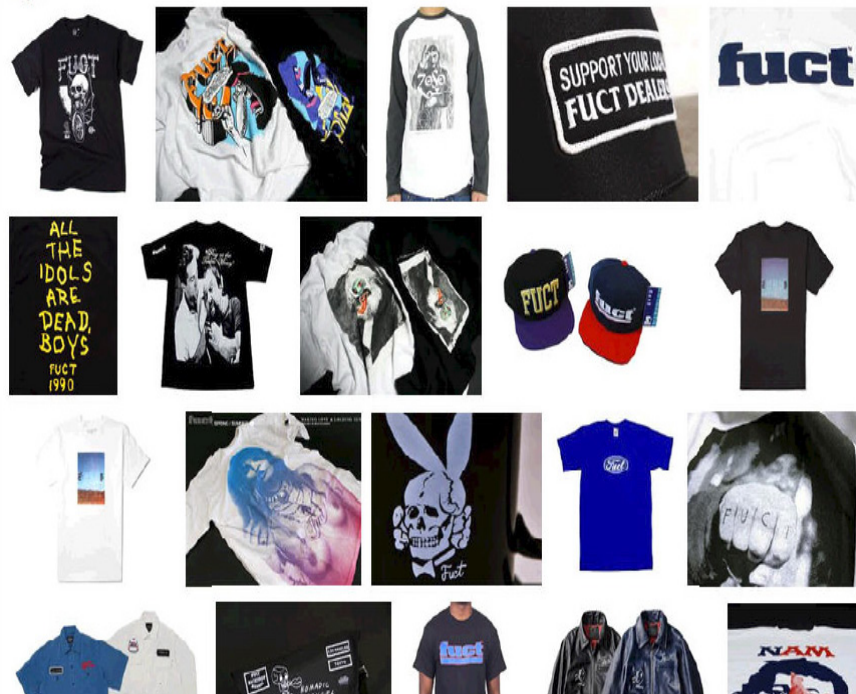
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<http://www.google.com/search?q=fuct&hl=en&tbm=isch&source=univ&sa=X&ei=mDDUZ-Xl-SB0G6J64DIDg&img=2&ved=CC6GQsAQ&hw=1019&h=546> 01/26/2013 09:20:44 AM





UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK APPLICATION—PRINCIPAL REGISTER

Serial No.: 85/310960

IN RE APPLICATION OF ERIK BRUNETTI

Application Date: May 3, 2011

DECLARATION OF CHRIS GIBBS

I, Chris Gibbs, declare and say:

1. I am the owner of the UNION store in Los Angeles, at 110 South LaBrea Ave., Los Angeles, CA 90036. I know the following facts to be true of my own personal knowledge. If called as a witness I could and would testify competently thereto.

2. My background is that I have been the owner and manager of the UNION store for 15 years. I have been actively involved in the street fashion or youth fashion industry for 15 years. I attend many of the trade shows, read most of the magazines and blogs that deal with youth culture in the United States, and spend much time talking to customers and others in the clothing industry (including store employees of my store and others, store managers, brand managers and owners of dozens of brands) about trends and brands. I feel that I can give useful opinions based upon my knowledge and experience.

3. To provide perspective on my store and the area where it is located I want to provide some background.

This portion of LaBrea is an important shopping district for youth fashion as, in addition to UNION, it includes the STUSSY, UNDEFEATED, AMERICAN RAG and the LA BREA BAKERY. The Los Angeles Times says “For more than two decades, a roughly 1.5-mile stretch of La Brea between Melrose Avenue and Wilshire Boulevard arguably has been the city’s most diverse and densely packed district for Old World antiques, vintage furniture, contemporary décor and urban fashion.” November 21, 2012. The August 30, 2011 issue of *Cooling Hunting* says: “From Japanese selvage denim to modern bohemian tunics, La Brea is quickly becoming one of the most creative shopping destinations in Los Angeles.” Frommers.com says “La Brea Avenue (north of Wilshire Blvd.)—This is L.A.’s artiest shopping strip.”

4. The UNION store is widely recognized as a leading retail outlet in the youth or street fashion industry. It has been in existence for 25 years. We carry dozens of brands, one of which is FUCT.

5. I do not view FUCT as immoral, obscene, scandalous, vulgar or otherwise offensive.

6. In the approximately three years that the UNION store has carried FUCT not once has a customer complained about the FUCT brand. Significantly, even though many mothers come in with their teenage children, not once has a mother complained to me about the FUCT brand. So I do not think customers would view the FUCT brand as obscene, scandalous, immoral, vulgar or offensive.

7. In addition to the physical UNION store at 110 South LaBrea Ave., Los Angeles, it has an internet

store that serves customers throughout the United States. We have carried FUCT on the webstore for approximately 3 years. We have not received any complaint from any state or territory in the United States, or elsewhere, about FUCT being obscene, scandalous, immoral, vulgar or offensive.

8. Not once has anyone told me that he or she understood FUCT to be anything other than a brand of clothing.

9. Not once has anyone told me that he or she understood FUCT on clothing to refer to “fuck.”

10. If the public understood FUCT on clothing to refer to “fuck,” I believe I would have heard it.

11. In my opinion, the vast majority of persons who shop for or who see it worn, the primary significance of FUCT is the name of a brand.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and this declaration is executed this 27th day of July 2013.

/s/ CHRIS GIBBS
CHRIS GIBBS

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK APPLICATION—PRINCIPAL REGISTER

Serial No.: 85/310960

IN RE APPLICATION OF ERIK BRUNETTI

Application Date: May 3, 2011

SUPPLEMENTAL DECLARATION OF ERIK BRUNETTI

I, Erik Brunetti, declare and say:

1. I am the founder of the FUCT brand. I know the following facts to be true of my own personal knowledge. If called as a witness I could and would testify competently thereto.

2. Since 1990, I have been actively involved in the street fashion or youth fashion industry. I have attended many trade shows, read many magazines and blogs that deal with youth culture in the United States, and spend much time talking to artists, designers, customers and others in the clothing industry. Based upon my experience I can opine about what is immoral, scandalous and vulgar. What is considered such has changed much over the last 23 years. Furthermore, I am a professional artist.

3. The FUCT brand does make comments about current political and societal issues, sometimes obvious, and sometimes subtly. But those comments are not scandalous, immoral or vulgar.

4. The use of FUCT by the brand clearly as a brand identifier, not as referring to “fuck.” The exhibits below illustrate that.

5. Attached as Exhibit “7” are photographs of products sold under the FUCT brand.

6. Attached as Exhibit “8” are photographs of the printing on the neck (in lieu of a neck label) and labels.

7. The FUCT trademark is registered in other countries so that is why the ® symbol is used on products.

8. It is a significant problem for my business not to have a trademark registration in the home country for the FUCT brand. Among other problems, I cannot obtain an International Registration under the Madrid agreements.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and this declaration is executed this 27th day of July 2013.

/s/ ERIK BRUNETTI
ERIK BRUNETTI

Applicant: Brunetti, Erik

Mark: FUCT

S/N: 85/310960

Exhibit 7



Applicant: Brunetti, Erik

Mark: FUCT

S/N: 85/310960

Exhibit 8





<http://www.urbandictionary.com/define.php?term=fuct> 08/20/2013 08:08:22 AM

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 white lobster
 rule 34
 twerk
 yolo
 queen for a day
 kaithephaux
 milf
 jelq

categories
 gaming
 sports
 food
 sex
 tv
 film
 celebrities
 military
 music
 weather
 insults

see also
 fucked
 fall out boy
 screwed
 bondage
 dance dance
 drunk
 duct tape
 from under the cork
 tree
 fuck
 high
 intoxicated
 keyd
 pete wentz
 scarred
 sugar we're going

1. fuct [f](#) [t](#) [+](#) **73 up, 36 down** [thumbs up](#) [thumbs down](#)
 The past tense of the verb fuck. Also used to express a general state of incapability.
We are so fuct!
She fuct me like a dog in heat!
That's fuct up!
(Rural definition) Hey man, I just fuct yer best frind.
[mark as favorite](#) [buy fuct mugs & shirts](#)
 by [Charlie White](#) Jan 27, 2003 [add a video](#)

2. fuct [f](#) [t](#) [+](#) **56 up, 27 down** [thumbs up](#) [thumbs down](#)
 Technical word mean broken or beyond repair;
 F.U.C.T
 Failed
 Under
 Continuous
 Testing
Is this kettle is broken?
Yes its FUCT

advertise here

<http://www.urbandictionary.com/define.php?term=fuct> 08/20/2013 08:08:22 AM

buyers were going down
take this to your grave

alphabetical

fucioo
Fucous
fucover
fucp
fucquaintances
fucque
Fucquis Chenem
Dicquat
F.U.C.R.
fucranto
fucrap
Fucrsome
fucrunk
Fucs
fucstrate
fucs-wit-dat

fuct

fuctagon
Fuctar
fuctard
fuc-tarded
fuctarp
fuctastic
fucbious
fucthno
fuction
fuctbious
fuctbude
Fuctvision
fuctologizing
fuctoplasm
Fuctoring
Fuctowel
Fuct Tape
fuct-taped
fuctuate
fuctup
fuct up
Fuctupedness
fuctuplets
fucu
fucusian

Yes its FUCT

[mark as favorite](#) [buy fuct mugs & shirts](#)

by [John Cross](#) Jun 24, 2003 [add a video](#)

3. Fuct [f](#) [t](#) [+](#) **65 up, 46 down** [thumbs up](#) [thumbs down](#)

Originally started by Erik Brunetti, it was a clothing line based out of Southern California, using designs derived from his unique style in the skateboarding, metal, and graffiti world. Now Erik is just a washed-up addict. The Germany clothing line (if there is one) is a bullshit coop/company, who will most likely be sued if Erik ever gets off heroin.

fuct.com is the website.

[mark as favorite](#) [buy fuct mugs & shirts](#)

by [A Fan](#), Dec 23, 2004 [add a video](#)

4. fuct [f](#) [t](#) [+](#) **35 up, 25 down** [thumbs up](#) [thumbs down](#)

FUCT™

FUCT™ is the brainchild of artist/graffiti writer Erik Brunetti (aka DEN ONE). Created in 1991, out of Brunetti's Venice Beach bedroom, FUCT™ has, since it's humble beginnings, single-handedly laid the ground-work for an entire generation of street-wear labels and designers.

Responsible for introducing to the world the "Planet of The Apes" printed t-shirts back in 1993, to using Viet-Nam war & German WWII inspired graphics, to the recent hand-drawn rock'n'roll iconography pieces, FUCT™ may well be considered the predecessor of subversive street-wear.

<http://www.urbandictionary.com/define.php?term=fuct> 08/20/2013 08:08:22 AM

Drawing it's roots in early skate-boarding and graffiti culture as well as punk-rock music, FUCT™ has maintained a steady cult following over the years.

Coveted by youth and Gen-X'ers, the rebellious nature of the brand has also attracted unconventional and outlaw artists and musicians such as Keith Richards, Julian Schnabel, Rage Against The Machine's Zack De La Rocha and members of thrash metal band Slayer.

With a reputation for causing trouble through provocative graphics and bold ad campaigns, FUCT™ has never crossed the thin line into self-parodic overkill. Authenticity behind every idea and design has proven to be the driving force and the secret to it's ever-growing commercial success.

15 years later, FUCT™ has managed to remain synonym of anti-consumerism and progressive thinking by leading the path of decadent and counter-culture aesthetics.

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[erk](#) [brunetti](#) [fuct](#) [streetwear](#) [subversive](#)

by [Emmanuelle](#) Mar 18, 2006 [add a video](#)

5. **fuct**

8 up, 4 down  

A fun fact.



I love learning fucts about sharks because they are my favorite animal!

[mark as favorite](#) [buy fuct mugs & shirts](#)

[fuct](#) [fuctt](#) [fact](#) [fun fact](#) [lies](#)

by [vickysurehane](#) Aug 11, 2011 [add a video](#)

6. **FUCT**

45 up, 41 down  

FUCT: From Under the Cork Tree by Fall Out Boy

Has noone else picked up on this?

From

Under

the

Cork

Tree

=FUCT

<http://www.urbandictionary.com/define.php?term=fuct> 08/20/2013 08:08:22 AM

[mark as favorite](#) [buy fuct mugs & shirts](#)
[pete wentz](#) [fall out boy](#) [patrick stump](#) [dance dance](#) [sugar we're going down](#)
 by [lcs](#) Sep 24, 2006 [add a video](#)

7. fuct [f](#) [t](#) [+](#) 3 up, 1 down

fuct- friends u can trust

fuct for life bro

without a doubt brother

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[fuct](#) [family](#) [brothers](#) [love](#) [friendship](#)
 by [Johnny Gt](#) Apr 25, 2011 [add a video](#)

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Chart




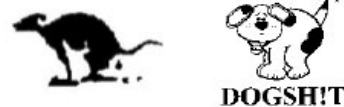
Offensiveness Refusals Under Section 2(a)



Examples of refusals clearly based upon viewpoint
 Examples of the government selecting a “happy” or clean viewpoint
 Examples of contradictory refusals



Application Approved by PTO*	Application Refused by PTO
PROFANITY/VULGARITY	
F'D UP (Stylized) (a search of the PTO database for “FUCKED” brings up this mark) (Reg. No. 4495813)	FUCT (appellant herein)
FCUK – approved 8 times FCUK AT HOME (Reg. No. 2910253)	FUCK
FWORD (SN 75/590854) F*WORD FRIDAY (Reg. No. 4025107) The F Word (Reg. No. 4642013)	F-WORD! (SN 78/455991)
FUBAR – registered 17 times	POTUS B. FUBAR (SN 86/901846)
MILF – approved at least 23 times MILF WEED (Reg. No. 4495963)	MILF – refused at least 20 times
N-WORD (No. 86281488) NIG (Reg. No. 2747415)	NIGGA (SN 76/623949)
PHUC (Reg. No. 4354653)	PHATPHUC (SN 85/023572)
S#! THE BED (Reg. No. 5192367) S#! MY DAD SAYS (Reg. No. 4142745)	Ape S#!+ (SN 85/611740) I DIDN'T VOTE FOR BU!! SH*#! (SN 78/166547) NO S#!+ (<i>In re Jones</i> , 2013 TTAB LEXIS 615 (T.T.A.B. 2013) (not precedential)) NO-SHIT (SN 77/913273) S#!TS & GIGGLES ELK POOP ACCESSORIES (SN 85/542023)
WTF WORK? (Reg. No. 4332574)	

*includes registered and marks approved for publication.

 <p>BAD FROG BEER, giving finger. <i>(In re Bad Frog Brewery, Inc., 1999 TTAB LEXIS 86 (T.T.A.B. 1999) (not precedential)).</i> Violation of free speech for a state to refuse permission to use picture of frog giving the finger. <i>Bad Frog Brewery v. New York State Liquor Authority, 134 F.3d 87 (2d Cir. 1998).</i></p>	 <p>(SN 79/055664) <i>(In re Luxuria, s.r.o., 100 U.S.P.Q.2d 1146 (T.T.A.B. 2011))</i></p>
SEXUAL REFERENCES	
ANAL – registered 17 times ANAL FANTASY COLLECTION (Reg. No. 4507635)	
ASS – registered over 200 times	ASSHOLE; A-HOLE PATROL
BADASS – registered over 65 times	
BEANER'S (Reg. No. 2308859)	FLIPS AND BEANERS (SN 85/701322)
CAMEL TOES (Reg. No. 1872570)	CAMEL TOE SURF WAX (SN 85/354253)
COCK; COCK 'N BULL; BUZZCOCK; COLD COCK	COCK SUCKER; KING COCK (SN 86/500922)
CUM TOGETHER (Reg. No. 2844606)	CUM TOGETHER (SN 86/587023)
CUMBRELLA (Reg. No. 4628952)	YOU CUM LIKE A GIRL (SN 78682282) <i>(In re Carlson, 2007 TTAB LEXIS 651 (T.T.A.B. 2007) (not precedential))</i>
EDIBLE CROTCHLESS GUMMY PANTIES (Reg. No. 2859081)	
FOREPLAY (in many forms) (Reg. No. 1185963); 69 FOREPLAY (SN 85/092781)	MASTURBATION-A-THON (SN 76/553565)
I AM STRUNG OUT LIKE A CRACK WHORE IN SPANDEX (SN 85/334481)	
INTERCOURSE ROUTE 69 (SN 78/723240)	 <p>(SN 78/697135)</p>
JACK OFF JILL (Reg. No. 2363770)	1-800 JACK OFF – <i>(In re Boulevard Entertainment, Inc., 334 F.3d 1336 (Fed. Cir. 2003))</i>
LAUGHING MY VAGINA OFF (4401056)	TWATT (SN 77/792532) TASTY TWATS (SN 77/384915)

MAKE YOUR OWN DILDO (Reg. Nos. 2801630 and 4055162)	
PARTY WITH SLUTS (Reg. No. 4388020)	
PINK TACO – registered 5 times	BUBBY TRAP (<i>In re Rumsdorf</i> , 171 U.S.P.Q. 443 (T.T.A.B. 1971))
 (Reg No. 4254281)	PUSSYWEAR (SN 75/743995)
SEXSOBERSUCKS (SN 86/778519)	
SHANK THE B!T@H (Reg No. 4672035)	
SLUT – registered at least 68 times	
	T-WATT (SN 77/792532) TASTY TWATS (SN 77/384915)
VAGINA in many forms WONDROUS VULVA PUPPET (Reg. No. 5043896)	
WHORE – registered 40+ times WHORES FROM HELL (Reg. 4301873)	
WORD PROSTITUTE (Reg. No. 3186641)	THE CHRISTIAN PROSTITUTE (SN 85/951092)
ALIMENTARY/EXECRETORY	
Marks showing input allowed:  	Marks showing output are refused:  (Also, see various "SHIT" marks)
CRAP – registered over 70 times FECES – registered multiple times POOP – (registered many times) but SHIT is refused	A-HOLE PATROL; THE COMPLETE A***HOLE'S GUIDE TO.... BULLSHIT; BUILDING WITHOUT THE BULLSHIT (SN 86/861578)
OFFENSIVE POLITICAL/RACIST	
ARYAN NATIONS SADISTIC SOULS MC (SN 87/161084)	
CRACKER, HONKY, WASP, WHITEY	NIGGA (SN 76/639548)
KKK – registered at least 5 times KU KLUX KLAM (Reg. No. 1158120)	
GRAMMAR NAZI (SN 87/350257) NAZI VICTIMS COMPENSATION	COFFEE NAZI (SN 86/103763) NAZI HUNTER (SN 76/100880)

TRUSTS (Reg. No. 2568614)	SURF NAZI (SN 77/758228)
RELIGIOUS	
ALLAH MADE ME FUNNY – THE OFFICIAL MUSLIM COMEDY TOUR; CLUBALLAH – for Classes 14, 16, 25, 41	
ATHEISTS FOR ALLAH (SN 78/939811)	
BIKERS AGAINST RADICAL ISLAM (SN 87/185552) No action by PTO, even though application is over 10 months old.	
F*J*SERRA (Reg. No. 3687353)	
JEWS FOR JESUS – registered 5 times	
 – for “mattresses”	KHORAN – for “wine” (SN 77/072261)
MADONNA (Reg. 4645362 and 3306106)	MADONNA; MESSIAS; SENUSSI
SOCIAL NETWORKING FOR YOUR PENIS (Reg. No. 3512313)	GOD DOES NOT HAVE A PENIS (GDNHAP) (SN 77/212829)
DISPARAGEMENT AS SUBSET OF SCANDALOUS	
DAGO SWAGG (Reg. No. 4347624)	DAGO MARY’S (SN 78/954137)
SQUAW – at least 24 registrations SQUAW VALLEY (Reg. No. 0670261)	SQUAW (<i>In re Squaw Valley Dev. Co.</i> , 2006 WL 1546500 (TTAB 2006)) GLAMOUR SQUAW (SN 85/846518)
	STOP THE ISLAMISATION OF AMERICA – 2(a) disparaging refusal issued in 2010 (<i>In re Geller</i> , 751 F.3d 1355 (Fed. Cir. 2014))
WILD INJUN (Reg. No. 1673489)	URBAN INJUN (SN 77/186637)
GENDER OR ORIENTATIONBASED	
BITCH – allowed over 150 times THE STAR BITCHES OF SPACE STATION 69 (SN 87/061852)	KICKABITCH (SN 77/735673)
DYKES ON BIKES (Reg. No. 332803) DYKE NIGHT (Reg. No. 4146588)	2 DYKES MINIMUM (SN 77/219520)
F•A•G FABULOUS AND GAY (2997761)	MARRIAGE IS FOR FAGS (77/477549)
 (Reg. No. 4497191)	I’M COMFORTABLE WITH MY HOMOPHOBIA (SN 85/382063)
SLAVE; SEXY SLAVE (Reg No. 4727713)	
WIFE BEATER (Reg. 0836434)	

	WIFE BEATER (78/416303) WIFE BEATER CLOTHING AND APPAREL (SN 77/747597)
HUMOR – DOUBLE ENTENDRE	
 (Reg. 4327579 and 4387402)	 (SN 86/577413)
CORE SPEECH	
	CORPORATE MASTURBATION (SN 77/747036)
MUSLIM P.A.T.R.I.O.T. PROTECTING AMERICA THROUGH REAFFIRMING ISLAM'S OPPOSITION TO TERRORISM (SN 85/909943)	STOP THE ISLAMISATION OF AMERICA – 2(a) disparaging refusal issued in 2010, but seems also could have been considered scandalous (<i>In re Geller</i> , 751 F.3d 1355 (Fed. Cir. 2014)) (SN 77/940881)