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Press Release – For Immediate Release

STATEMENT BY FORTRES GRAND ON THE SEVENTH CIRCUIT’S ADVERSE RULING IN FORTRES GRAND V. WARNER BROS. ENTERTAINMENT REGARDING THE CLEAN SLATE® TRADEMARK FOR COMPUTER SECURITY SOFTWARE

Plymouth, IN, Aug. 15, 2014 - It is well known that movies are filled with real product placements and have a serious obsession toward realism. There is no reason for a person to think a technology is fictitious by reason of its appearance in a fictional movie.

We are disappointed by the Seventh Circuit’s decision, particularly its failure to recognize the current system of commerce and product research, the ubiquity of social engineering in computer security, the role of social media in shaping consumer opinion, and the apparent authority that any disparate fragments of content and social media posts can convey. It is unfortunate that the courts focus on the once meaningful “tangible” product when markets today are also moved by so many objects that will never exist in tangible space.

This confusion of origin is a bigger problem for computer security software than for many other types of products because of the nature of the sales channel, because of the potential enormous cost of malicious software, and because people are particularly skeptical when trying to identify legitimate security software. Most of our customers base their buying decision solely on information found on the Internet. We seldom have personal contact with people before their decision to buy our software. Our customers never visit our physical location. Our Clean Slate trademark has been very valuable in identifying Fortres Grand as a trusted source of computer security software.

A very large and well known attack vector is the human, through social engineering. Social engineering attacks involve tricking the user or manager of computers into compromising security. This is often done through fictitious security software that surreptitiously opens an unsecured entry point for malicious parties to deliver and execute harmful payloads to computers and networks.

Software security professionals are keenly aware of the sophistication and believability of successful social engineering attacks (fake websites, fake employee bios, links to fake product reviews, etc...). The confusion about the source of Clean Slate software created by this movie, and its supporting websites, is enough to cause many security professionals to be resistant to installing and testing our Clean Slate software. For many less sophisticated potential customers, the confusion may have them avoid even visiting a website promoting Clean Slate software. The movie referred to Clean Slate software as variously "a gangland myth", "the ultimate tool for a master thief with a record", and "too good to be true" for people wanting to destroy data.

Trademarks are no longer merely distinguishing between similar products sitting side by side on a dock. We relied on the value of our trademark to convey unambiguous confidence that Clean Slate is identified with a reliable legitimate developer of computer security software.

The Clean Slate mark served as a container of consumer information that could be relied upon in a particular market where deception is lurking everywhere, where consumers have no idea what the one’s and zero’s that make up the products are actually doing, where consumers seldom see a tangible manifestation of either quality and security or of malicious threats and intrusion, where the cost of failure is so high that even subtle doubts can outweigh volumes of positive research, and where even experts are routinely confused by fake products, rumors, and unfalsifiable myths that are later proven true.

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