

Hemmed in By the FBI

By Tom Mize

J. Edgar Hoover is getting a bit possessive about the FBI's initials. Or so a court thinks. Fabrication Bril International.

For the past four years, Bril, a French firm that manufactures both women's and men's clothing (its designer, Pierre Cardin, has been trying to win approval from U.S. patent authorities to use the trademark "Fabrication Bril International" on the inside of clothing sold here.

At every step of the way,

explain they are not really trying to capitalize on someone else's well-known initials.

They have one line of clothing marked "Bril," and another marked "FBI."

And after all, monsieur, both the "Bril" and the "FBI" lines have been distributed in France and elsewhere for quite some time.



Seal of the Federal Bureau of Investigation

it has been fought by the other FBI—of the law enforcement variety—which claims the exclusive right to the initials FBI in this country.

The FBI says that the clothing firm's initials are "likely to deceive and confuse the public . . . into believing that the goods were so marked with the approval of the Director of the Federal Bureau of Investigation."

The director doesn't like that idea. According to T. Hayward Brown, chief of the patent section of the Justice Department, his office's legal challenge to the Bril trademark was approved personally by J. Edgar Hoover.

Brown declined to say whether Hoover's instructions were made personally or in writing. "The communications between a lawyer and his client are privileged," Brown reminded a reporter.

The clothing firm—more formally known as the Societe Anonyme Francaise M. Bril and Co., 25 Rue de Renard, Paris IVE—is a little astonished.

Bril's attorneys

The trademark "FBI" would never stand alone. Bril officials maintain. Unfortunately, Bril would in ways of the words, "Fabrication Bril International." And the trademark would only be sewn discreetly on the inside of garments—not out front. Bril's Greek letter "alpha" on a man's suit jacket.

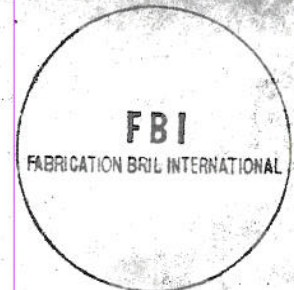
Says Herbert Dubno, a New York attorney representing Bril: "We asked them the FBI if a lady in a lingerie shop would really think a piece of clothing was from the Bureau. They answered in the affirmative."

The Bureau has its own explanations. The initials "FBI" have been worn for years on caps and coveralls by members of its "Disaster Squad," which identifies victims in disaster situations.

In addition, the FBI says in legal papers, the initials are worn on the caps of firing instructors, and on the badges, credentials and arm bands of its agents.

In an opinion in November, the U.S. Patent Office ruled against the FBI, deciding it was not reasonable to assume that purchasers in department stores would actually believe Bril's clothing is sponsored by the law enforcement agency.

But yesterday, the FBI



French clothing firm's proposed trademark.

filed suit in U.S. District Court, asking it to overrule the patent office.

Through it all, the French clothing firm—which has a multimillion-dollar business in the United States—in the United States—

has held off shipping its FBI line here while continuing to send the "Bril" clothes.

If the firm should sell FBI here and then lose the patent case, officials explain, it would be forced to pay for removal of all the FBI labels in this country.

Besides, Dubno admits: "At no time have we wanted to antagonize the FBI."