

# Codebook: Trademark Survey Data

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May 1, 2012

## Brief Overview of the Dataset

These data are from a survey conducted by an expert witness in a trademark case brought in 2007 in the Southern District of New York.<sup>1</sup> The Trademark Trial and Appeal Board denied Victoria's Secret's application to register the mark SO SEXY for its hair care products based on the objections of Sexy Hair Concepts, LLC. Victoria's Secret appealed this decision and one of their expert witnesses designed a survey to explore whether the word SEXY had attained a secondary meaning in relation to hair care products.

## Variables

### **id: Unique identification number**

ID number which uniquely identifies the survey respondent.

### **version: Version of answer card**

Survey respondents were given one of two versions of a response card to give their answer to the primary question of how many hair care companies they believed had products associated with the word "SEXY." Answer cards with a lilac dot listed "One company" as the

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\*We thank Rachael K. Hinkle for research assistance.

<sup>1</sup>Victoria's Secret Stores Brand Management v. Sexy Hair Concepts, No. 1:07-CV-05804 (S.D.N.Y. filed June 19, 2007), <http://archive.recapthelaw.org/nysd/308471/>.

first possible response while cards with an orange dot listed “More than one company” as the first possible response. (Both versions also provided “No company”, “Don’t know”, and “No opinion” as the last three possible responses.)

1. First option listed on the answer card is “One company”
2. First option listed on the answer card is “More than one company”

**question: How many hair care companies do you associate with the word “SEXY”?**

The main question asked in the survey was how many companies produced hair care products which the respondent associated with the word “SEXY.” Each respondent was given a card with five possible responses and asked to circle one. This variable indicates which option the respondent circled.

1. One company
2. More than one company
3. No company
4. Don’t know
5. No opinion

**female: Respondent is female**

0. Respondent is male.
1. Respondent is female.

**age: Age group of respondent**

1. Respondent was between the age of 18 and 34.
2. Respondent was between the age of 35 and 49.
3. Respondent was fifty years old or older.