

Finch, Chris

From: Press, Vitter (Vitter) [Vitter_Press@vitter.senate.gov]
Sent: Friday, January 29, 2010 12:26 PM
To: Press, Vitter (Vitter)
Subject: Vitter Release: Sends Letter to NFL Commissioner Roger Goodell on "Who Dat" Controversy
Attachments: image003.jpg

Please find the following news release from U.S. Sen. David Vitter.

Note: *As this email account is for outgoing messages only, please do not reply to this address. If you need assistance, please contact joel_digrado@vitter.senate.gov.*



For Immediate Release
January 29, 2010

Contact: Joel DiGrado
(202) 224-4623

Vitter Sends Letter to NFL Commissioner Roger Goodell on “Who Dat” Controversy

(Washington, D.C.) – U.S. Sen. David Vitter today sent the following letter to National Football League Commissioner Roger Goodell regarding the NFL’s efforts to claim exclusive rights to the term “Who Dat”:

VIA FACSIMILE, ELECTRONIC MAIL, AND OVERNIGHT DELIVERY

January 29, 2010

Roger Goodell, Commissioner
National Football League
280 Park Avenue, 15th Floor
New York, NY 10017

Dear Commissioner Goodell:

I was stunned to learn recently that the NFL is taking the position that it owns the exclusive trademark of the term "Who Dat" and has even threatened legal action against some mom-and-pop merchants selling t-shirts using the term. I would urge you to drop this obnoxious and legally unsustainable position and instead agree that "Who Dat" is in the public domain, giving no one exclusive trademark rights.

This letter will also serve as formal legal notice that I am having t-shirts printed that say "WHO DAT say we can't print Who Dat!" for widespread sale in commerce. Please either drop your present ridiculous position or sue me.

"Who Dat" was probably first heard in New Orleans minstrel shows well over 130 years ago. Much more recently, but before it was used in connection with the Saints, it was used as a rallying cry by St. Augustine High School in New Orleans. In the 1980s it was adopted by Saints fans in a completely spontaneous way. Only later did any legal persons, including the Saints and the NFL, try to claim it through registration.

Perhaps more significant than this history, "Who Dat" has become part of New Orleans and Louisiana popular culture. For the NFL to try to claim exclusive ownership of it would be like me registering and trying to claim exclusive ownership of the terms "lagniappe" and "laissez les bons temps rouler!"

Under Paul Tagliabue's leadership, the NFL was an unbelievable partner in helping us recover and rebuild after Hurricane Katrina. Thank you again. We look forward to your dropping your "Who Dat" position so that this partnership can continue without strain or blemish.

incerel
y,

-30-