

12 December 2008

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The "wink" emoticon will probably remain in the public domain until the end of time
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[Russian Entrepreneur Wants to Trademark the 'Wink'](#)

The emoticon ;-) could only be used under license

Oleg Teterin is a Russian entrepreneur that set out to trademark the infamous online "wink" emoticon, composed of a semi-column, a dash and a parenthesis, to his business, the mobile ad company Superfone. The man says that, since smiley faces such as :-), :) and ;) are also very similar to his trademark, they could also fall under his ownership.

Other Internet businesses in Russia harshly criticized Teterin for his actions, saying that the sequence of symbols had been in the public domain for decades, and, as such, could not be registered to a single company. Some also said that this was like trying to trademark letters in the alphabet, and then have everyone using them pay you a fee. "Imagine the next wise-guy who trademarks the 33 letters of the Russian alphabet and then says anyone who uses the Russian alphabet has to send him money. It's absurd," broadband company director Alexander Manis told NTV.

"I want to highlight that this is only directed at corporations, companies that are trying to make a profit without the permission of the trademark holder," says Teterin, who adds that he will not pursue individuals who are using the symbols without paying him money. "Legal use will be possible after buying an annual license from us. It won't cost that much - tens of thousands of dollars."

The Russian federal patent agency awarded the "entrepreneur" with the patent, but then again Russians are known for doing things such as claiming the North Pole for their own by putting a flag up on the ocean floor and other such things, so probably the legislation will only apply in their own backyard.

In 2005, a St. Petersburg court of law decided that Siemens didn't have to pay a dime to another Russian citizen who had sued the German giant for emoticon trademark violations. So it's highly unlikely that the next versions of Yahoo or MSN messengers will feature no "wink" emoticons, or that the companies will pay "tens of thousands of dollars" for the rights to use what has been public since the Internet appeared.