Functionality

Identity & Origin
Trademark

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source

functional matter ...

Kellogg Co. v. National Biscuit Co., 305 U.S. 111 (1938)
(holding that trademark law would not allow Nabisco to prevent
rival Kellogg from making its own shredded wheat cereal; the
cereal's shape was functional, and therefore unprotectable as a
trademark, and the term "shredded wheat" was generic, and
therefore unprotectable as well)