

Day of the Dead trademark request draws backlash for Disney

By **Cindy Y. Rodriguez, CNN**

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Traditional sugar calaveritas, or little skulls, are displayed in Mexico City on October 31 ahead of the Day of the Dead.

Story highlights

Disney filed a trademark application to secure the phrase "Día de los Muertos"

Entertainment giant's Pixar division has Day of the Dead movie coming this fall

But after receiving backlash on social media, Disney withdrew application

"How could Disney allow such a blunder," wonders editorial cartoonist Lalo Alcaraz

Is it possible to trademark the name of a holiday? The Walt Disney Company was interested in doing so.

On May 1, the entertainment giant filed an application to the U.S. Patent and Trademark Office to secure the phrase "Día de los Muertos," or "Day of the Dead," across multiple platforms. Disney subsidiary Pixar is releasing a film -- for time being called "The Untitled Pixar Movie About Dia de los Muertos" -- this fall.

Here's the problem -- Día de los Muertos is a traditional holiday celebrated on November 1 and 2 in Mexico and across Latin America. People honor the lives of lost family members or friends by [building altars](#), [holding processions](#), [decorating gravesites](#) and placing offerings for loved ones. Over the years, the holiday has gained a foothold in the United States, too.

Disney hoped to secure the rights to the title "Day of the Dead" and such themed merchandise as fruit preserves, fruit-based

cookies, toys, games, clothing, footwear, bookshelves, clocks and jewelry.

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"Are we okay with @DisneyPixar commercializing our culture?" tweeted Think Mexican, a Tumblr blog that says it's aimed at "connecting the Mexican community through culture and information."

"How could Disney allow such a blunder," marveled [Lalo Alcaraz](#), a Mexican-American editorial cartoonist and founder of [Pocho.com](#). "I knew they weren't copyrighting the holiday, but I couldn't believe they would let someone in their legal department let this happen. On the surface, it looks like Disney is trying to copyright the holiday."

Alcaraz is the author of La Cucaracha, a nationally syndicated comic that focuses on the country's changing cultural and political landscape. His work has appeared in The New York Times, The Village Voice, Los Angeles Times and Variety.

People on social media pressed Alcaraz for an editorial cartoon in response to the Disney decision. He responded with "[Muerto Mouse](#)."

On Tuesday, a [petition went up on Change.org to stop the Disney effort](#), stating that the attempt to trademark Día de los Muertos was "cultural appropriation and exploitation at its worst." On Friday evening, the petition had more than 21,000 signatures.

"Our spiritual traditions are for everyone, not for companies like Walt Disney to trademark and exploit," wrote Grace Sesma, the petition's creator. "I am deeply offended and dismayed that a family-oriented company like Walt Disney would seek to own the rights to something that is the rightful heritage of the people of Mexico."

In 2003, the Day of the Dead celebration was entered on the UNESCO list of the Masterpieces of the Oral and Intangible Heritage of Humanity.

"The Indigenous Festivity dedicated to the Dead are deeply rooted in the cultural life of the indigenous peoples of Mexico," UNESCO told CNNMexico.

But after the backlash, [Disney withdrew its application](#) this week.

"The trademark intended to protect any potential title of the movie or related activity," a spokeswoman for [Disney told CNNMexico](#). "Since then, it has been determined that the title of the film will change, and therefore we are withdrawing our application for trademark registration."

Disney did not comment on whether social media reactions directly led to the decision to withdraw the application.

This isn't the first time Disney has sought to trademark a controversial phrase.

In 2011, it tried to secure "SEAL Team Six," the Navy SEAL team that captured and killed Osama bin Laden, seeking exclusive rights for use on items from video games to backpacks. However, after receiving an overwhelming response from critics, Disney withdrew the application "out of deference to the Navy."

Alcaraz says this "blunder" wouldn't have happened if there were more people of color at large corporations.

"It's just frustrating because I've spoken to some of these companies begging them to have more people of color in the legal department, behind the camera and greenlighting projects, but they won't listen," Alcaraz said. "And not just tokens. It's gotta be real."

Other companies and individuals [have tried to trademark other Mexican symbols in the past](#), including Our Lady of Guadalupe, Mexico's national anthem, Montezuma's headdress, nopal (cactus) and tequila.

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