



THE BADASS GRANDMAS MOVEMENT

Reflections from a BadAss

By Dina Butcher



It seems only appropriate, having the honor of being BadAss Grandma #1, that I explain the origins of and controversy around the name of our movement. In 2018, I was part of a group working to pass Measure #1, a constitutional amendment to establish an ethics commission and more transparency on campaign financial reporting. My grandson's friend saw a brochure used in the campaign and asked, "Is that your grandma on that brochure?" When my grandson acknowledged it was indeed me, his friend said "Wow, she's badass."

In campaigning all over the state as members of North Dakotans for Integrity we proudly wore our shirts and hoodies emblazoned with BADASS Grandmas for Democracy. Our detractors often criticized our name as "undignified" and "vulgar." After one of those criticisms, I noted that there are two kinds of people in every community: 1) Those who get involved and get things done, aka badasses; and 2) Those who criticize and undermine what

others are doing... tightasses. Case settled! It was around that time that in order to make ourselves more acceptable to our critics we began wearing lots of pearls with our badass shirts and sweatshirts.

When the measure passed by a goodly margin in November of 2018, we requested a trademark for our movement under the name BadAss Grandmas.

We did not want to become yet another IRS-approved, not-for-profit organization seeking time, talent and treasure from the good folks (bad asses) already working in their communities to preserve our democratic way of life.

So, we innocently applied to then Secretary of State, Al Jaeger, and we were **denied!** Fortunately, we had a wise and competent lawyer, Greg Stites, who many of you may know as Nancy Guy's husband, representing North Dakotans for Public Integrity. His attached letter explains *for all time* why badass is not "vulgar or offensive to good taste or decency." We were honored to read this letter at his memorial service in 2022. RIP, Greg!

So, here, should anyone ask, is the reason we are trademarked with the state of North Dakota as BadAss Grandmas:

*North Dakota Secretary of State
600 East Boulevard Avenue, Dept. 108
Bismarck, ND 50505-0500*

*Re: CORRECTION FILING #: 000288202
Re: CORRECTION DLN #: B0214-0553*

Dear Secretary Jaeger:

I have been retained to represent BadAss Grandmas regarding its recent filing for a trademark.

BadAss Grandmas filed a request for a trademark pursuant to NDCC Chapter 47-22. Your office has refused to register its mark stating that the “Secretary of State may refuse to file a document with a proposed business name that may carry connotations that are offensive to good taste and decency, including a name with words or phrases that are vulgar, or that may be offensive to the general public or to a group of people.” I assume your office believes that “BadAss” is the offending term and not “Grandmas.”

While your office’s basis for refusing to register the mark appears legally inconsistent with any of the statutory language in NDCC §47-22-02 that purports to permit non-registration on certain grounds, I am assuming your office believes that a “BadAss Grandmas” mark would be “immoral or scandalous.” If necessary after review of this letter, please confirm that NDCC §47-22-02(1) was the basis for your office’s refusal to register the mark.

A “BadAss Grandmas” mark does not consist of or comprise immoral or scandalous matter. Further, even if your office’s stated reasons for non-registration were legally permitted, which they are not, a “BadAss Grandmas” mark is not offensive to good taste and decency, nor is it vulgar or offensive to the general public.

The Merriam-Webster Dictionary defines “badass” as “of formidable strength or skill”. The Cambridge Dictionary defines “badass” as “someone or something that you admire or find impressive,” as in “this car is pure badass” or “you look badass.”

Neither dictionary classifies “badass” as being remotely immoral or scandalous in nature. The term “badass” is commonly used and accepted in society and has become part of many registered business names approved throughout the United States. In fact, a close review of the websites of many other Secretary of State Offices reveals that “badass” and “bad ass” has been approved as part of a business name and trademark on many occasions. And many, if not all, of the States have similar statutes to North Dakota for non-registering of business names and trademarks.

Montana: Badass Mommas of Montana; Badass Terrariums; Bad Ass Coffee; Bad Ass Coffee of Montana; Badass Babe; Bad Ass Capital, LLC; Badass

Motorsports, LLC; Bad Ass Coffee & Donkey Design

South Dakota: Bad Ass Garage Floors

Nebraska: Badass Women Tribe, LLC; Bad Ass Garage Floors, LLC

Minnesota: Badass Bespokery, LLC; Bad Ass Custom Tackle; Badass Girl World; Badass Rebel Runners, LLC; BadAssSpecialties, LLC; Bad Ass Women

Wyoming: Bad Ass Cowboy, LLC; Bad Ass Hot Dogs, LLC; Badass Enterprises, Inc.; Badass Fulfillment, LLC; Badass Man Cave; BadAss Tackle, Inc.; Badass Wyoming BBQ; The Bad Ass Toy Company, LLC.

I could list many other States that have registered “badass” or “bad ass.” In fact, every other State I checked in allowed “badass” or “bad ass” to be registered on the basis that the term is not immoral or scandalous in nature.

*By way of background, I wish to bring to your attention the recent United States Supreme Court case of *Iancu, Under Secretary of Commerce for Intellectual Property and Director, Patent and Trademark Office v. Brunetti*, No. 18–302, 588 U.S. ___, decided on June 24, 2019 (“*Brunetti*”). The Court held that the government cannot make judgements on what is moral. *Brunetti* was thus allowed to obtain a Federal trademark for a clothing line displaying the word “FUCT.”*

*In *Brunetti*, the Court struck down the Lanham Act’s prohibition on registration of “immoral [] or scandalous” trademarks holding it a violation of the First Amendment. Because NDCC §47-22-02 uses the exact language from the Lanham Act for refusal to register marks, it is clear that the North Dakota Secretary of State no longer has the authority to refuse registration of immoral and scandalous marks.*

It is for all these reasons that I respectfully request that your office rescind its refusal to register the mark of “BadAss Grandmas.”

Please let me know if you have any questions.

Gregory B. Stites, Esq.



Want to learn more about how we started and some of the earliest press about the BadAss Grandmas? Check out these stories:

<https://act.represent.us/sign/badass-grandmas-spotlight>

<https://www.forbes.com/sites/nextavenue/2019/09/17/the-badass-grandmas-who-fought-corruption-and-won/>

<https://thefulcrum.us/electoral-reforms/badass-grandma>

<https://www.princeton.edu/events/2021/badass-grandmas-democracy-making-voting-more-transparent-north-dakota>

<https://www.kxnet.com/news/grandmas-form-grassroots-campaign-to-fight-for-democracy-in-n-d/>

[The Badass Grandmas Fight Corruption in North Dakota \(nextavenue.org\)](https://www.nextavenue.org/the-badass-grandmas-fight-corruption-in-north-dakota)

<https://www.grandforksherald.com/community/letters/dina-butcher-bismarck-n-d-letter-a-government-that-leaves-people-alone>

Ok, that last one is from my googling the impressive Dina Butcher archives, but interesting, still, how relevant Dina's points were from 2013 to today, ten year later.

AND, some more recent BG4D news:

<https://thefulcrum.us/ethics-leadership/bad-ass-grandmas>

<https://omny.fm/shows/kfgo-partners/when-where-for-senior-care-meet-the-bada-grandmas>

NEWS FROM AROUND NORTH DAKOTA, THE RED RIVER VALLEY AND ELSEWHERE



North Dakota Ethics Commission:

For those of you who were on our recent June call, you will recall our robust discussion about the North Dakota Ethics Commission and what it can, and cannot do. Worth reading is this story from the July 1 Daily Monitor. You can find it here:

<https://northdakotamonitor.com/>



THE LEAGUE OF WOMEN VOTERS NEEDS YOU!

As we soon celebrate the Fourth of July, our nation's Independence Day, here's two great opportunities to honor our nation's democracy – becoming an election judge or celebrating New Americans!

ELECTION OFFICIAL

Your name here!



Watch democracy in action - be an election judge! Go to [MNVOTES.GOV](https://www.mnvotes.gov) and click on "Get Involved" for more information.

Citizenship Ceremony in Minnesota

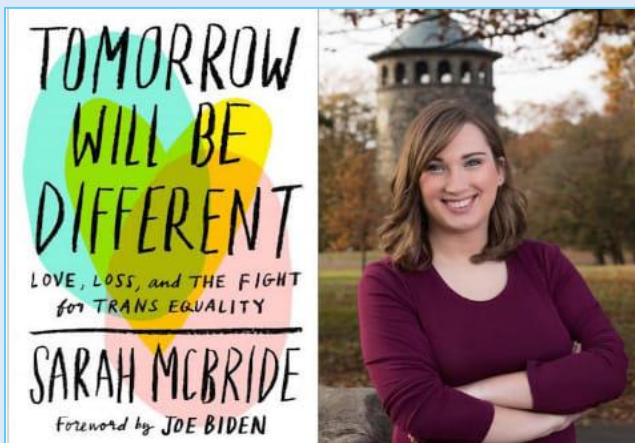
Thursday, July 18, 2024 - 9:15 AM to 3:30 PM

Union Depot 214 4th Street - East Saint Paul

Citizen ceremonies are the culmination of the naturalization process and momentous and celebratory time for all involved. For over 30 years, the League of Women Voters of Minnesota, the US Federal Court System and the US Customs and Immigration Services have worked together to host these milestone ceremonies of our country's newest citizens. At the next event on July 18, volunteers will be walking around the seating guests and helping them fill out their voter registration forms. Participation is open to all – you do NOT have to be a League of Women Voters member to participate.

Red River Valley League Book Club

Do you enjoy reading? The Red River Valley League of Women Voters hosts a book discussion every three months. The next one will be at Atomic Coffee in Fargo on July 12 at 6:30 and is featuring **Tomorrow Will Be Different**.



DEMOCRACY ACTIONS NATIONALLY

Each month's newsletter highlights some of the great resources that are available to help you navigate today's uncomfortable landscape. This month, we are highlighting the following:

Joining Forces Resources

Nonprofit Vote: Assisting and training for nonprofits
<https://www.nonprofitvote.org>

Center for Common Ground: Partner with community organizations that are already on the ground to lift democracy in underserved communities
<https://www.centerforcommonground.org>

Civic Alliance: Assisting and training for businesses
<https://www.civicalliance.com>

State Party Action Network (SPAN): Works to bring key resources and best practices to state Democratic parties around the country
<https://www.spanetwork.net>

Vot+ER: A nonpartisan, nonprofit organization working to integrate civic engagement into healthcare.
<https://vot-er.org>

Invest in Democracy Resources

Civic Alliance: Assisting and training for businesses
<https://www.civicalliance.com>

Goods Unite Us: A search engine that provides information on a company's political expenditures. <https://www.goodsuniteus.com>

LeadershipNOW: Brings together businesses united to protect democracy.
<https://www.leadershipnowproject.org>

Citizens for Responsibility and Ethics in Washington (CREW):
REPORT: This sedition is brought to you by... (updated daily)
Information on corporate and industry spending on Sedition Caucus members
<https://www.citizensforethics.org/reports-investigations/crew-reports/this-sedition-is-brought-to-you-by>

Popular Information: Daily political news and analysis.

Popular Information LLC is owned by Judd Legum
<https://popular.info>

Colors of Change: Leads campaigns that challenge injustice, hold corporate and political leaders accountable, commission game-changing research on systems of inequality, and advance solutions for racial justice.

<https://colorofchange.org/campaigns/active>

The Big Stuff Resources

New Deal Forum: A “Democracy Playbook” outlining recommendations for blue states

<https://www.newdealforum.org/democracy-playbook>, PDF

Brennan Center for Justice: An independent, nonpartisan law and policy organization that works to reform, revitalize, and when necessary, defend our country’s systems of democracy and justice.

<https://www.brennancenter.org>

ReclaimtheAmericanDream.org lists dozens of resources for how to get involved.

BridgeAlliance.org is a good friend of the BG4D and its site lists dozens of democracy reform organizations.

American Promise exists to empower, inspire and organize Americans to win the 28th Amendment to the Constitution. This lasting reform will re-balance our politics and government by putting the right of individual citizens before the privileges of concentrated money, corporations, unions, political parties and superPACs. [Join American Promise Here.](#)

Issue One is bringing Republicans, Democrats, and independents together to win game-changing political reform. Sign-up today for email updates on how you can make your voice heard and demand political reforms that put the voices of everyday people over the big money special interests. [Join Issue One to Fix Our Democracy First.](#)

Red Wine and Blue <https://redwine.blue/> is a sisterhood working to change the world together, one suburb at a time. Red Wine & Blue provides everything women need to successfully organize in their communities and beyond. Want to get stuff done and have fun along the way? Join them.

Buffalo Fire is an indigenous people’s news source in North Dakota. In 2024 Buffalo’s Fire became a part of the nationwide Documenters Network, reinforcing our dedication to community-focused journalism.

Documenters are community members, and a collective of civic contributors trained to cover local government meetings and events, who focus on accountability, transparency and civic coverage in the Bismarck/Mandan area. The Bismarck Documenters are the first Indigenous-led and first-rural cohort of the Documenters Network. The goal of Bismarck Documenters is simple: to put people in the rooms where decisions are made that impact us all. <https://www.buffalofire.com/bismarck-documenters/>



**JOIN US IN
OUR
MISSION TO
SAVE
DEMOCRACY**

The mission of the BadAss Grandmas* is to

engage citizens in restoring trustworthy government for generations to come. Grandchildren are not required!

"BadAss Grandma" is a state of mind, not biological. If you identify with our mission, declare yourself and get to work. We are a non-partisan issue-based movement, not an organization. We encourage local action and participation in existing organizations. This is an occasional newsletter to offer encouragement, resources, and networking.

We meet virtually on the third Wednesday of each month at 6:30 pm, Central. Regardless of where you live, we invite you to join us. Our link for the virtual meeting can be found on our website – <https://badassgrandmasfordemocracy.com>, and our Facebook page, which we invite you to request to join.

Democracy is under assault from the far right, from big money, and from Christian Nationalists who wish to eliminate the separation of church and state. Get involved, however you can, wherever you can, whenever you can. We need and appreciate you!