

# The Burger Court Opinion Writing Database

## *Mackey v. Montrym*

443 U.S. 1 (1979)

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Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
THE CHIEF JUSTICE

November 14, 1979

Re: 77-69 - Mackey v. Montrym

MEMORANDUM TO THE CONFERENCE:

The Reporter received a letter objecting to the generic use of the trademark "breathalyzer" in the opinion. Since the briefs and three-judge district court opinion also so used the word, I saw no reason to do otherwise. However, absent dissent, I now propose to substitute the words "breath analysis" for "breathalyzer" wherever it appears in the opinion.

Regards,

A handwritten signature in dark ink, consisting of the letters 'RBZ' in a stylized, cursive-like font.