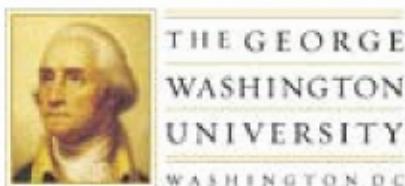


The Burger Court Opinion Writing Database

Mackey v. Montrym

443 U.S. 1 (1979)

Paul J. Wahlbeck, George Washington University
James F. Spriggs, II, Washington University in St. Louis
Forrest Maltzman, George Washington University



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,