

SUPREME COURT OF THE UNITED STATES

No. 91-971

TWO PESOS, INC., PETITIONER v. TACO CABANA, INC.
ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FIFTH CIRCUIT
[June 26, 1992]

JUSTICE SCALIA, concurring.

I write separately to note my complete agreement with JUSTICE THOMAS's explanation as to how the language of §43(a) and its common-law derivation are broad enough to embrace inherently distinctive trade dress. Nevertheless, because I find that analysis to be complementary to (and not inconsistent with) the Court's opinion, I concur in the latter.