Violence Policy Center



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Understanding the Smith & Wesson M&P15 Semiautomatic Assault Rifle Used in the Aurora, Colorado Mass Murder



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The Violence Policy Center (VPC) is a national non-profit educational organization that conducts research and public education on violence in America and provides information and analysis to policymakers, journalists, advocates, and the general public. This study was authored by VPC Senior Policy Analyst Tom Diaz and was funded with the support of the David Bohnett Foundation and The Joyce Foundation. A list highlighting select past VPC studies is listed below. For a complete list of VPC publications with document links, please visit http://www.vpc.org/studyndx.htm.

- *Gun Deaths Outpace Motor Vehicle Deaths in 10 States in 2009* (May 2012)
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- *American Roulette: Murder-Suicide in the United States* (May 2012)
- "Never Walk Alone"—How Concealed Carry Laws Boost Gun Industry Sales (April 2012)
- Black Homicide Victimization in the United States: An Analysis of 2009 Homicide Data (January 2012, annual study)
- Lost Youth: A County-by-County Analysis of 2010 California Homicide Victims Ages 10 to 24 (January 2012, annual study)
- *More Guns, More Shootings* (January 2012)
- States With Higher Gun Ownership and Weak Gun Laws Lead Nation in Gun Death (October 2011, annual study)
- When Men Murder Women: An Analysis of 2009 Homicide Data (September 2011, annual study)
- The Militarization of the U.S. Civilian Firearms Market (June 2011)
- A Shrinking Minority: The Continuing Decline of Gun Ownership in America (April 2011)
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- Drive-by America: Second Edition (July 2010)
- Lessons Unlearned—The Gun Lobby and the Siren Song of Anti-Government Rhetoric (April 2010)
- *Target: Law Enforcement—Assault Weapons in the News* (February 2010)
- Indicted: Types of Firearms and Methods of Gun Trafficking from the United States to Mexico as Revealed in U.S. Court Documents (April 2009)
- Iron River: Gun Violence and Illegal Firearms Trafficking on the U.S.-Mexico Border (March 2009)
- Youth Gang Violence and Guns: Data Collection in California (February 2009)
- "Big Boomers"—Rifle Power Designed Into Handguns (December 2008)
- Clear and Present Danger: National Security Experts Warn About the Danger of Unrestricted Sales of 50 Caliber Anti-Armor Sniper Rifles to Civilians (July 2005)
- The Threat Posed to Helicopters by 50 Caliber Anti-Armor Sniper Rifles (August 2004)
- United States of Assault Weapons: Gunmakers Evading the Federal Assault Weapons Ban (July 2004)
- Vest Buster: The .500 Smith & Wesson Magnum—The Gun Industry's Latest Challenge to Law Enforcement Body Armor (June 2004)
- Bullet Hoses—Semiautomatic Assault Weapons: What Are They? What's So Bad About Them? (May 2003)
- "Officer Down"—Assault Weapons and the War on Law Enforcement (May 2003)
- "Just Like Bird Hunting"—The Threat to Civil Aviation from 50 Caliber Sniper Rifles (January 2003)
- License to Kill IV: More Guns, More Crime (June 2002)
- *"A .22 for Christmas"—How the Gun Industry Designs and Markets Firearms for Children and Youth* (December 2001)
- Unintended Consequences: Pro-Handgun Experts Prove That Handguns Are a Dangerous Choice For Self-Defense (November 2001)
- Voting from the Rooftops: How the Gun Industry Armed Osama bin Laden, Other Foreign and Domestic Terrorists, and Common Criminals with 50 Caliber Sniper Rifles (October 2001)
- *Hispanics and Firearms Violence* (May 2001)
- Where'd They Get Their Guns?—An Analysis of the Firearms Used in High-Profile Shootings, 1963 to 2001 (April 2001)
- *A Deadly Myth: Women, Handguns, and Self-Defense* (January 2001)
- Handgun Licensing and Registration: What it Can and Cannot Do (September 2000
- Pocket Rockets: The Gun Industry's Sale of Increased Killing Power (July 2000)
- Guns For Felons: How the NRA Works to Rearm Criminals (March 2000)
- Cease Fire: A Comprehensive Strategy to Reduce Firearms Violence (Revised, October 1997)

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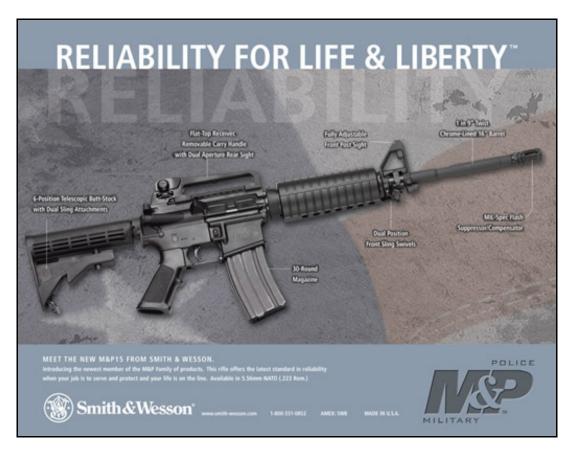
This report discusses the history and profit motive behind Smith & Wesson's introduction into the civilian market of its M&P15 semiautomatic assault rifles in 2006. It then explains the history, distinguishing features, and lethal capabilities of assault rifles like the M&P15.

"The entire M&P product line has been a tremendous success. These products were designed to across [sic] multiple markets including military, law enforcement, and consumer, and they're hitting—they're hitting their mark in a big way."

Mike Golden, President and CEO, Smith & Wesson Holding Corporation, June 12, 2008.¹

Early on Friday morning, July 20, 2012, 24-year-old James Holmes walked into a midnight showing at a movie theater in Aurora, Colorado. Holmes was armed with a 223-caliber Smith & Wesson M&P15 (an AR-15 assault rifle variant) a 40 caliber Glock semiautomatic pistol, and a Remington 12 gauge shotgun. Another Glock pistol was found in his car. He was wearing body armor and had fitted his Smith & Wesson assault rifle with a drum magazine, which was capable of holding 100 rounds of ammunition in a single loading. After tossing some sort of incendiary or smoke device into the theater, Holmes allegedly opened fire on the theater's patrons. Within minutes, at least 12 people were killed and 58 wounded. Several of the wounded were grievously injured.²

Holmes's use of Smith & Wesson's M&P15 assault rifle demonstrates the clear and present danger of a gun designed for war and ruthlessly marketed for profit to civilians.



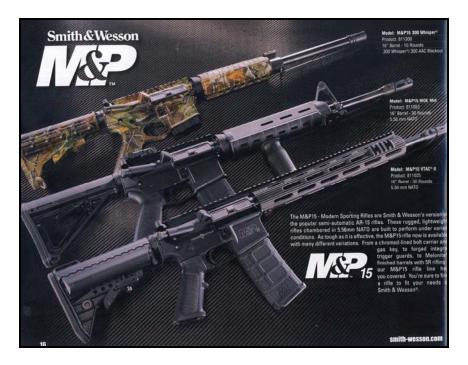
Smith & Wesson introduced its M&P15 rifle in 2006. It was the first of a highly profitable line of semiautomatic assault rifles that the company aggressively markets to civilians.

Smith & Wesson's Target: Profit

In early 2006, Smith & Wesson announced that it had begun shipping the first of its M&P15 rifles. The M&P (Military & Police) "tactical rifle" was the first long gun produced by a company that had been long known as a handgun manufacturer.³ According to *Shooting Industry*, the new rifle was "specifically engineered to meet the needs of global military and police personnel, as well as sporting shooters."⁴

The handgun company's turn to assault rifles was a stark example of the gun industry's relentless militarization of the civilian market. By 2006, military-style semiautomatic assault rifles had become one of the mainstays of the civilian gun market. Smith & Wesson did not make rifles. But it had successfully marketed a line of M&P semiautomatic handguns to military, police, and civilian customers. Its executives decided to introduce their own line of Military & Police assault rifles. Based on the venerable AR-15/M-16 design, these "tactical rifles" would be heavily pitched to civilians.

"We believe the features of these tactical rifles make them strong contenders in the military and law enforcement markets," said Michael Golden, Smith & Wesson president and CEO. "We also believe that our M&P rifle series fills a tremendous gap in the marketplace by delivering high-quality, feature-rich tactical rifles that will be readily available in commercial channels."⁵

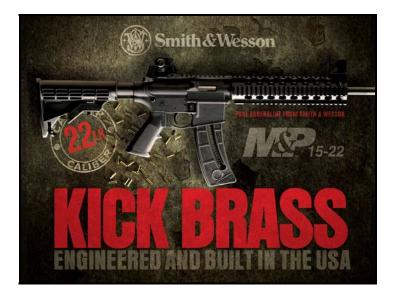


Smith & Wesson's 2012 product catalog features a variety of M&P15 semiautomatic assault rifles similar to the one that James Holmes used in his shooting rampage.

The company's marketing move won praise from the gun industry's promotional voices. *Shooting Industry* magazine awarded it the title of "Manufacturer of the Year."⁶ Perhaps more important to the company was the assault rifle's contribution to the bottom line.

In June, 2006, Mike Golden, Smith & Wesson's president and CEO, told investors on an earnings conference call that "consumer response has been very strong" for the new assault rifle. Golden also noted that he "had the honor of attending the signing of the Protection of Lawful Commerce and [sic] Arms Act by President Bush, a great day for our industry and for me personally." This federal law—for which the National Rifle Association (NRA) heavily lobbied—insulates the gun industry from liability for the reckless depredations of products like the M&P assault rifle.⁷ (One hand washes the other in the gun lobby. In May 2012, the NRA inducted Smith & Wesson into its "Golden Ring of Freedom," which is "reserved for those who have given gifts of cash or assets to the NRA totaling one million dollars or more." A press release from the NRA Institute for Legislative Action—NRA-ILA, the organization's lobbying arm—announcing Smith & Wesson's financial gift noted that with all of its actions in support of the NRA, "Smith & Wesson's support far exceeds one million dollars in cash."⁸)

The money continued to roll in. On July 20, 2009–exactly three years to the day before the Aurora mass murder–Golden stated in an interview that a "category that has been extremely hot is tactical rifles, AR style tactical rifles."⁹ On a June 2009 investors conference call, Golden enthused that "tactical rifles were up almost 200% versus the same period the year before. We have increased our capacity on that rifle."¹⁰ The company was doing so well with its assault rifles that it decided to introduce a new variant in 22 caliber because the ammunition is much cheaper than the military-style ammunition used in the M&P15. "We have an M&P15 that shoots .223 ammo that sells extremely well," Golden said. "We have just launched an AR-style rifle that shoots .22 caliber rounds that we think will be extremely popular because of the price of ammo."¹¹



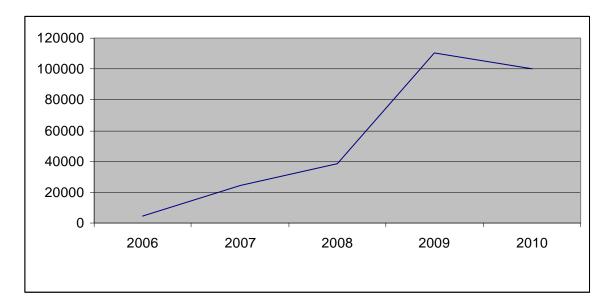
Smith & Wesson introduced its M&P15-22 in 2009

Golden informed investors during the June 2009 conference call that "at the SHOT [Shooting, Hunting, Outdoor Trade] Show, we showed, what we are calling the M&P15-22. And what that is, is a tactical rifle, it looks exactly like an M&P15 but it shoots .22 caliber ammo. And that's a big deal because of the price of ammo. The .22 ammo versus

the 5.56, it's about 10% of the cost. So we think that will be a very big product because of the ammo. And again, it's another variant and it's actually a very fun rifle to shoot."¹²

Number of M&P15 Semiautomatic Assault Rifles Manufactured by Smith & Wesson, 2006-2010

2006	2007	2008	2009	2010	Total
4,650	24,676	38,372	110,057	100,051	277,806



Number of M&P15 Semiautomatic Assault Rifles Manufactured by Smith & Wesson-2006-2010

By March 2012, the M&P line had become for Smith & Wesson "both a brand and product platform," according to chief executive James Debney. "It's really about modern polymer pistols and Modern Sporting Rifles, also known as tactical rifles."¹³ In June 2012 the company reported that sales for the quarter "climbed 27.7 per cent…driven by strong revenue of M&P polymer pistols and modern sporting rifles."¹⁴ Said Debney, "Our objective in fiscal 2012 was to streamline the company and focus on our position as a leading, pure-play firearm company."¹⁵

Three weeks later, James Holmes walked into the Aurora movie theater.

Key Points About Assault Weapons

1. Semiautomatic assault weapons like Smith & Wesson's M&P15 assault rifles are civilian versions of military assault weapons. Even though the gun industry prefers to call semiautomatic assault weapons "modern sporting rifles," there are no significant differences between them and military assault weapons.

2. Military assault weapons are "machine guns." That is, they are capable of fully automatic fire. A machine gun will continue to fire as long as the trigger is held down until the ammunition magazine is empty.

3. Civilian assault weapons are not machine guns. They are semiautomatic weapons. (Since 1986 federal law has banned the sale to civilians of new machine guns.) The trigger of a semiautomatic weapon must be pulled separately for each round fired. It is a mistake to call civilian assault weapons "automatic weapons" or "machine guns."

4. This is a distinction without a difference in terms of killing power. Civilian semiautomatic assault weapons incorporate all of the functional design features that make assault weapons so deadly. They are arguably more deadly than military versions, because most experts agree that semiautomatic fire is more accurate than automatic fire.

5. The distinctive "look" of assault weapons is not cosmetic. It is the visual result of **specific functional design decisions.** Military assault weapons were designed and developed for a specific military purpose—*laying down a high volume of fire over a wide killing zone*, also known as "hosing down" an area.

6. Civilian assault weapons keep the specific functional design features that make this deadly spray-firing easy. These functional features also distinguish assault weapons from traditional sporting guns.

7. The most significant assault weapon functional design features are: (1) ability to accept a high-capacity ammunition magazine, (2) a rear pistol or thumb-hole grip, and, (3) a forward grip or barrel shroud. Taken together, these are the design features that make possible the deadly and indiscriminate "spray-firing" for which assault weapons are designed. None of them are features of true hunting or sporting guns.

8. Although the gun lobby today argues that there is no such thing as civilian assault weapons, the industry, the National Rifle Association, and gun magazines enthusiastically described these civilian versions as "assault rifles," "assault pistols," and "military assault" weapons to boost civilian sales throughout the 1980s. The industry and its allies only began to use the semantic argument that a "true" assault weapon is a machine gun after civilian assault weapons turned up in large numbers in the hands of drug traffickers, criminal gangs, mass murderers, and other dangerous criminals.

What Is A Semiautomatic Assault Weapon?

Semiautomatic assault weapons are civilian versions of automatic military assault rifles (like the AK-47 and the M-16) and automatic military assault pistols (like the UZI).

These guns look the same because they are virtually identical, save for one feature: military assault rifles are machine guns. A machine gun fires continuously as long as its trigger is held back—until it runs out of ammunition. Civilian assault rifles are *semi*-automatic weapons. The trigger of a semiautomatic weapon must be pulled back separately for each round fired.

Because federal law has banned the sale of new machine guns to civilians since 1986,¹⁶ and heavily regulates sales to civilians of older model machine guns, there is virtually no civilian market for military assault weapons. The gun industry introduced semiautomatic versions of military assault weapons in order to create and exploit new civilian markets for these deadly weapons.

What's So Bad About Semiautomatic Assault Weapons?

Assault weapons did not "just happen." They were developed to meet specific combat needs. All assault weapons—military and civilian alike—incorporate specific features that were designed to provide a specific military combat function. That military function is *laying down a high volume of fire over a wide killing zone*, also known as "hosing down" an area. Civilian assault weapons keep the specific design features that make this deadly spray-firing easy. These features also distinguish assault weapons from traditional sporting firearms.

The distinctive "look" of assault weapons is not merely "cosmetic," as the gun lobby often argues—the assault weapon's appearance is the result of the design of the gun following its function. A brief summary of how assault weapons came into being makes clear the reason for, and the nature of, their distinctive design features.

The problem of trench warfare. The roots of military assault weapons lie in the trench fighting of the First World War. The standard infantry weapon of that conflict was the long-range battle rifle. "Infantrymen in most armies were equipped with high-powered rifles: long, unwieldy, but accurate to ranges of 1,000 m (3,280 ft) or more. But a long weapon was a definite handicap in the close-quarter fighting of the trenches, and long-range capability was wasted when combat usually took place at ranges of tens of metres or less."¹⁷

Submachine guns—the intermediate step. When armies bogged down in the World War I trenches, weapons designers looked for ways to break the bloody stalemate. Among them was the submachine gun, designed to be a "compact, fast-firing, short-range weapon" for use in the trenches and by highly mobile storm troops in new tactical formations.¹⁸ According to the *Illustrated Book of Guns*, "A submachine gun (SMG) is a close-range, automatic weapon, firing pistol cartridges (e.g., 9mm Parabellum), and is compact, easy to carry, and light enough to be fired from either the shoulder or the hip."¹⁹

The final step—the first assault rifle. The last step in the evolution of the military assault rifle came during the Second World War. It grew out of the German military's pre-war interest in "obtaining a relatively high-power intermediate or mid-range cartridge *and corresponding weapon* for infantry application."²⁰ (Emphasis added). German military thinkers realized that, "Since most infantry action took place at ranges under 400 meters, the long-range potential of the standard cartridge and service rifle were actually wasted."²¹ There were also logistical problems in supplying armies in the field with different kinds of rounds of ammunition: the larger rifle cartridges for the battle rifle and the smaller pistol cartridges for the submachine guns.²² As one expert noted, "During their Operation Barbarossa (Russian) campaign and elsewhere, the Germans were continually reminded of the ever-increasing need for a rapid fire arm that was small enough to be convenient to hand carry, but at the same time possessed sufficient range and power to be adequate out to about 200 meters.²³

The result of German research and development was the STG (*Sturmgewehr*) ("storm gun") 44, the "father of all assault rifles....After the war it was examined and dissected by almost every major gunmaking nation and led, in one way and another, to the present-day 5.56mm assault rifles."²⁴



STG-44 above, S&W MP15 below

Deadly designs. One thing leaps out from the pictures above: the remarkable similarity of the first assault rifle to the Smith & Wesson M&P15 and other assault rifles currently flooding America's streets. This family resemblance is not a coincidence. From the STG-44 "storm gun" to the M&P15 "tactical rifle," assault weapons have incorporated into their design *specific* features that enable shooters to spray ("hose down") a large

number of bullets over a broad killing zone, without having to aim at each individual target. These features not only give assault weapons a distinctive appearance, they make it easy to simply point the gun while rapidly pulling the trigger—including firing from the hip, a procedure seldom used in hunting anything but human beings. The most important of these design features are:

- *"High-capacity" detachable ammunition magazines* (often mistakenly called "clips") that hold as many as 100 rounds of ammunition. "This allows the high volume of fire critical to the 'storm gun' concept."²⁵
- *A rear pistol grip* (handle), including so-called "thumb-hole stocks" and magazines that function like pistol grips.
- *A forward grip or barrel shroud.* Forward grips (located under the barrel or the forward stock) "give a shooter greater control over a weapon during recoil."²⁶ Forward grips and barrel shrouds also make it possible to hold the gun with the non-trigger hand, even through the barrel gets extremely hot from firing multiple rounds.

These design features create the ability to quickly lay down a high volume of fire, making semiautomatic assault weapons a particularly dangerous addition to the civilian gun market. They explain why assault weapons are favored by terrorists, mass killers, and violent criminals, and they distinguish such weapons from true hunting and target guns.

Deliberate, aimed fire from the shoulder may be more accurate than the "hosing down" of an area for which assault weapons were designed. But mass murderers and other violent criminals drawn to assault weapons are not after marksmanship medals. They want to kill or maim as many people as possible in as short a time as possible—the exact job for which the semiautomatic assault weapon was designed.

The National Shooting Sports Foundation's "Modern Sporting Rifle" Rebranding Campaign. The NRA, the gun industry, the gun press, and other pro-gun "experts" today claim that there is no such thing as a civilian "assault weapon." They prefer to call them "tactical rifles" or "modern sporting rifles." But before these types of guns came under fire, these same experts enthusiastically described exactly these civilian versions as "assault rifles," "assault pistols," and "military assault" weapons.

In November 2009, the National Shooting Sports Foundation (NSSF) announced that— "due to gun owners' concerns over President-elect Obama and possible legislation regulating the Second Amendment rights of Americans"—it had placed on its website a "media resource...to help clear up much of the confusion and misinformation about socalled 'assault weapons."²⁷

This was the opening salvo in the industry's meretricious campaign to "rebrand" semiautomatic assault weapons as "modern sporting rifles."²⁸ The point of the campaign—inspired by the pummeling the industry gets for selling killing machines—is apparently that semiautomatic assault rifles are really just another sporting gun, no different from an older generation of bolt-action and low-capacity rifles.

But some within the gun industry's own ranks continue to call semiautomatic assault rifles what they are—*assault* rifles—and even write lurid prose promoting the worst features of these guns.

For a recent example, the August 2010 edition of *Gun World* magazine headlines "Ruger's Mini-14 Tactical Rifle" as "Combat Customized' From the Factory."²⁹ Among other outbursts of naked candor in the enthusiastic article are the following:

- "Ruger's Mini-14 Tactical Rifle is a version of the well-established Mini-14 incorporating many of the assault rifle features that end users have being [sic] applying themselves for decades, this time straight from the factory."
- "Being seen over the years as a sort of "poor man's assault rifle" the Mini-14 has spawned a huge array of after-market parts that may be applied to make it more "assault rifle-y." Recently Sturm, Ruger & Co. finally decided to get into the act themselves by producing their Mini-14 Tactical Rifles."

This spasm of candor is typical of the "wink and nod" game that the gun industry plays when it talks to itself and to its hard-core consumers.

But, as James Holmes demonstrated once again in Colorado, call them what you will—"black rifles," "tactical rifles," or "modern sporting rifles"—military-style semiautomatic assault weapons are plain and simply killing machines.

Endnotes

¹ Mike Golden, President and CEO, Smith & Wesson Holdings Corporation, "Q4 2008 Smith & Wesson Hldg. Corp Earnings Conference Call – Final," *FD (Fair Disclosure) Wire*, June 12, 2008.

² "A day of tears and twists in Colorado," *The Washington Post*, July 23, 2012; "Gun's magazine shaped the pace of Colorado theater massacre," *latimes.com*, July 22, 2012, latimes.com/news/nation/nationnow/la-na-nn-theater-shooting-magazine-20120722,0,4212661.story.

³ In the late 19th century, Smith & Wesson produced a "revolving rifle," which was essentially a handgun (revolver) with a detachable stock. The gun's popularity was "limited." Dean K. Boorman, *The History of Smith & Wesson Firearms* (Guilford, CT: The Lyons Press, 2002), p. 42.

⁴ "Smith & Wesson enters long-gun market; Industry news," *Shooting Industry*, February 1, 2006.

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⁶ "Smith & Wesson Earns 'Manufacturer of the Year' Title and NRA Golden Bullseye Award," *PR Newswire US*, May 23, 2006.

⁷ Mike Golden, President and CEO, Smith & Wesson Holding Corp., "Q4 2006 Smith & Wesson Hldg. Corp. Earnings Conference Call," *FD (Fair Disclosure) Wire*, June 15, 2006.

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⁹ "Smith & Wesson boss talks about guns and gun laws," *Outdoors (Daily Oklahoman)*, July 20, 2009.

¹⁰ "Q4 2009 Smith & Wesson Holding Corporation Earnings Conference Call – Final," *FD (Fair Disclosure) Wire*, June 22, 2009.

¹¹ "Smith & Wesson boss talks about guns and gun laws," *Outdoors (Daily Oklahoman)*, July 20, 2009.

¹² "Q4 2009 Smith & Wesson Holding Corporation Earnings Conference Call – Final," *FD (Fair Disclosure) Wire*, June 22, 2009.

¹³ "Smith & Wesson Hldg Corp at Roth Capital Partners OC Growth Stock Conference – Final," *FD* (*Fair Disclosure*) *Wire*, March 14, 2012.

¹⁴ "Smith & Wesson Q4 profit up on sales and margin growth," *Proactive Investors*, June 29, 2012.

¹⁵ "Smith & Wesson Q4 profit up on sales and margin growth," *Proactive Investors*, June 29, 2012.

¹⁶ See, 18 U.S. Code, Section 922(0).

17 Chris Bishop (ed.), Guns in Combat (Edison, N.J.: Chartwell Books, 1998): 37.

18 Ian V. Hogg, Submachine Guns (Pennsylvania: Stackpole Books, 2001): 7.

19 David Miller (ed.), *The Illustrated Book of Guns* (London: Salamander Books Ltd., 2000): 232.

20 Peter R. Senich, *The German Assault Rifle, 1935-1945* (Boulder, CO: Paladin Press, 1987): 1.

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22 Chuck Taylor, *The Fighting Rifle: A Complete Study of the Rifle in Combat* (Boulder, Paladin Press, 1984), p. 2.

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26 Duncan Long, *The Terrifying Three: Uzi, Ingram, and Intratec Weapons Families* (Boulder, CO: Paladin Press, 1989): 104.

²⁷ "NSSF Announces Media Resource on 'Assault Weapons,'" *Shooting Wire*, November 29, 2009, www.shootingwire.com/archived/2008-11-24_sw.html.

²⁸ "Rebranding is the creation of a new name, term, symbol, design or a combination of them for an established brand with the intention of developing a differentiated (new) position in the mind of stakeholders and competitors." "Rebranding," *Wikipedia*, http://en.wikipedia.org/wiki/Rebranding

²⁹ "Ruger's Mini-14 Tactical Rifle," *Gun World*, August 2010, p. 58.