

Successful Women in IP

Trademark Cases Can Be Fun: A Few Case Highlights



Katy Basile, Novak Druce & Quigg
Panelist

Beth Goldman, Orrick, Herrington & Sutcliffe
Moderator

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Orrick, Herrington & Sutcliffe LLP

TOP TEN BRANDS IN 2010 (Interbrand Survey)

1		70,452 (\$m)
2		64,727 (\$m)
3		60,895 (\$m)
4		43,557 (\$m)
5		42,808 (\$m)
6		33,578 (\$m)
7		32,015 (\$m)
8		29,495 (\$m)
9		28,731 (\$m)
10		26,867 (\$m)

A funny thing happened on the way to 2011.....

But where is  ?

No. 17, really?

In fact up from 20th, with a 37% increase in “brand value.”

Brand's are like living organisms – they change over time and they need to be nurtured and protected

Trademarks On-Line

Adwords: Selling Trademarks as “keywords” remains big business and continues to spark “right v. wrong” discussions

- Rescue.com
- Rosetta Stone
- Network Automation

Fair use: Brokering Lexus cars

- Toyota Moter Sales, USA v. Tabari

Games People Play – “gotcha” websites

- Traffic School.Com Inc. (www.dmv.gov/ca)

Off-line - Interesting Highlights

Famous Marks

- “THE OTHER WHITE MEAT”
- “JUST JESU IT”
- “PANDA”

Fraud on the PTO Post Bose

- FICO Scores: allegations of use of mark “300-850” false

Citations

Rescuecom Corp. v. Google Inc.
562 F.3d 123 (2d Cir. 2009)

Rosetta Stone Ltd. v. Google Inc.
730 F.Supp.2d 531 (E.D. Va. 2010)

Network Automation Inc. v. Advanced Systems Concepts Inc., 2011 WL 815806
(9th Cir 2011.)

Toyota Motor Sales, U.S.A., Inc. v. Farzad Tabari
610 F.3d 1171 (9th Cir. 2010)

Trafficschool.com Inc., v. Edriver, Inc., 2011 WL 3198226 (9th Cir. 2011)

Citations Continued

Nat'l Pork Bd. and Nat'l Pork Prods Council v. Supreme Lobster & Seafood Co.,
96 U.S.P.Q.2d(T.T.A.B. 2010)(Precedential)

Nike, Inc., v. Maher, 2011 WL 3828723 (TTAB 2011)(Precedential)

Fiat Group Autos S.P.A. v. ISM, Inc., 94 U.S.P.Q. 1111 (TTAB 2010)(Precedential)

Fair Isaac Corporation., v. Experian Info Solutions, Inc., 2011 WL 3586429 (8th
Cir. 2011)