

From: FDRA <apolk@fdra.org>
Subject: FDRA IP Digest May 2013
Date: August 10, 2013 8:46:27 AM EDT
To: apolk@fdra.org
Reply-To: apolk@fdra.org



Intellectual Property Digest

May 2013

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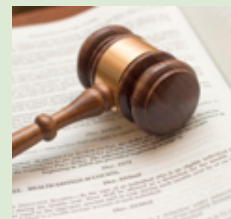
USPTO

General News

The views expressed are solely those of the authors and do not necessarily reflect the views of the FDRA or any of its members.

Legislation

There was no new legislation introduced in April.

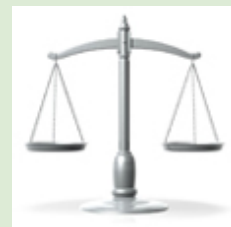


Litigation

[Adidas AG v. Adidascrazylight2.com](#), 2013 U.S. Dist. LEXIS 53833 (D. Fla. April 16, 2013). Synopsis: Adidas obtains a temporary restraining order against hundreds of websites purveying counterfeit Adidas and Reebok footwear and apparel, in which the domain names of the offending sites are transferred to Adidas.

[Crossfit, Inc. v. Maximum Human Performance, LLC](#), 2013 U.S. Dist. LEXIS 53676 (D. Cal. April 12, 2013). Synopsis: Crossfit, which owns a mark for footwear and other items, obtains a preliminary injunction against Maximum Human Performance (MHP), enjoining MHP from using the term X-FIT.

[FenF, LLC v. Taylor Gifts, Inc.](#), 2013 U.S. Dist. LEXIS 52126 (D. Mich. April 11, 2013).



Synopsis: Court denies Defendant Taylor Gifts' motion for summary judgment, ruling that Plaintiff FenF's patents for toe-stretching yoga devices are not indefinite and are capable of construction.

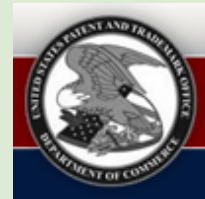
In re S A S Safety Corp., 2013 TTAB LEXIS 237 (TTAB April 30, 2013). Synopsis: The Trademark Trial and Appeal Board permits the registration of the mark SAS for workplace safety gear, finding that there is not a likelihood of confusion with existing mark SAS of San Antonio Shoes.

In re Ruff, 2013 TTAB LEXIS 150 (TTAB April 4, 2013). Synopsis: The Trademark Trial and Appeal Board affirms the examining attorney's refusal to register the trademark "ZigZag Get on Board" for shoes and apparel because of a likelihood of confusion with existing mark "Zig-Zag".

USPTO

Utility patents issued in the month of April:

Pat. No.	Title
8,429,837	Boot Accessory for Limiting Foot Movement in Stirrups
8,429,836	Collapsible Athletic Shoe
8,429,835	Composite Shoe Upper and Method of Making Same
8,424,226	Ski Boot for Alpine and Touring Ski
8,424,225	Channeled Sole for an Article of Footwear
8,424,224	Shoe Heel Cover
8,424,223	High-Performance Sports Shoe
8,424,222	Arthritis and Diabetes Insole
8,424,221	Training Footwear
8,424,168	Closure System
8,424,148	Floor Wipe for Use With Foot
8,423,426	Method of Customized Cleat Arrangement
8,421,822	Customizing Footwear
8,418,382	Sole Structure and Article of Footwear Including Same
8,418,381	Lace System for Footwear
8,418,380	Footwear Having Upper Incorporating Tensile Strand with Cover Layer
8,418,379	Shoe Sole with Reinforcement Structure
8,414,511	System for Treatment of Plantar Fasciitis
8,414,275	Pump and Valve Combination for Footwear Incorporating Inflatable Bladder
8,413,352	Club Head Cleaning Attachment for a Golf Shoe
8,413,351	Shoe System with Removable Covers
8,413,350	Interchangeable Shoe with Clips and Loops
8,413,349	Corrective Insole for Treating Positioning in Metatarsal and Forefoot
8,407,918	Shoe
8,407,917	Apparatus, System, and Method for Shoe Cover



Patent applications published in the month of April:

Pub. App. No.	Title
20130097893	Decorative Heel Cover for High Heel Sandal Shoes
20130097892	Ski Boot with Mechanism to Pass from Skiing to Walking Configuration
20130097891	Breathable Waterproof Sole for Shoes
20130097890	Impact-Attenuation Members with Lateral and Shear Force Stability
20130097889	Impact-Attenuation Members with Lateral and Shear Force Stability
20130097888	Impact-Attenuation Members with Lateral and Shear Force Stability
20130097887	Shoe Closure System

20130091742	Driving Shoe Heel and Back Protector
20130091741	Safety Slipper
20130091740	Footwear Sole
20130091739	Shoe Sole
20130091738	Composite Shoe Sole and Footwear Constituted Thereof
20130091737	Footwear with Improved Upper
20130091736	Shoe with Attachable Fashion Accessories
20130091735	Shoes, Devices for Shoes, and Methods of Using Shoes
20130091734	Shoe with Interchangeable Strap System
20130091733	Modular Shoe System
20130091732	Footwear and Related Accessories
20130091731	Shoes with Socks which May Have Miniature Stylish Designs
20130091730	Protection Devices for Use in Shoes or Other Products
20130091729	Insole for a Footwear Article
20130091620	Selective Ornamentation System
20130086823	Shoes Having an Air Circulation Function
20130086822	Climbing Shoes Outsole Having Adhesive and Non-Slip Properties
20130086821	Tread Element and Configuration
20130086820	Footwear Having Insect Repellent
20130086819	Women's Boot Wallet and Pocket System
20130086818	Footwear with Improved Tightening of Upper
20130086817	Boot Assembly
20130086816	Automated Tightening Shoe
20130086815	Footwear Lacing System
20130086814	Shoe with Exchangeable Upper
20130086813	Replaceable Structure for Footwear
20130081308	Industrial Shoe Protector
20130081307	Footwear Having a Woven Portion
20130081306	Insole for a Shoe
20130081305	Footwear with Elastic Footbed Cover and Soft Foam Footbed
20130081304	Sole Construction for Energy Storage and Rebound
20130081303	Orthopedic Cushioning Device
20130081191	Footwear Having Air-Controlled Active Element

Design patents issued in the month of April:

Pat. No.	Title
D680,729	Shoe Upper, Assignee Nike Inc.
D680,728	Portion of an Upper of a Footwear Article, Assignee Salomon S.A.S.
D680,727	Outsole Cover, No Assignee
D680,726	Shoe Outsole, Assignee Propet Global Limited
D680,725	Shoe Outsole, Assignee Nike Inc.
D680,724	Shoe Outsole, Assignee Nike Inc.
D680,723	Footwear, Assignee Columbia Sportswear North America
D680,722	Shoe Outsole, Assignee, Nike Inc.
D680,721	Shoe Outsole, Assignee, Nike Inc.
D680,720	Outsole Cover, No Assignee
D680,719	Folding Zipper Shoe, Assignee The Timberland Company
D680,718	Basketball Themed Sport Sandal, No Assignee
D680,717	Football Themed Sport Sandal, No Assignee
D680,716	Overboot, No Assignee
D680,715	Attachable Elastic Shoe Sleeve, No Assignee
D680,714	Shoe, Assignee TOD's S.p.A.
D680,713	Shoe, Assignee TOD's S.p.A.
D680,712	Shoe, Assignee TOD's S.p.A.
D680,711	Shoe, Assignee Vibram S.p.A.
D680,710	Basketball Flat Heel Shoe, Assignee Sundberg; Abigale T.
D680,317	Ornament for Shoes, No Assignee

D680,316	Shoe Upper, Assignee Nike, Inc.
D680,315	Portion of an Upper of a Footwear Article, Assignee Salomon S.A.S.
D680,314	Portion of an Upper of a Footwear Article, Assignee Salomon S.A.S.
D680,313	Upper for a Shoe, Assignee Columbia Insurance Company
D680,312	Shoe Bottom, Assignee Skechers U.S.A., Inc.
D680,311	Shoe, Assignee Columbia Insurance Company
D680,310	Shoe Outsole, Assignee Nike, Inc.
D680,309	Shoe Outsole and Periphery, Assignee Skechers U.S.A., Inc.
D680,308	Shoe Midsole, Assignee Nike, Inc.
D680,307	Shoe, No Assignee
D680,306	Multi-Layer Shoe Sole Protector, No Assignee
D680,305	Baseball High Heel Shoe, Assignee Sundberg; Abigale T.
D680,025	Charm, No Assignee
D679,903	Portion of an Upper of a Footwear Article, Assignee Salomon S.A.S.
D679,902	Insole, Assignee S.C. Johnson & Son, Inc.
D679,901	Shoe Bottom, Assignee Skechers U.S.A., Inc.
D679,900	Sole, Assignee ECCO Sko A/S
D679,899	Sole, Assignee ECCO Sko A/S
D679,898	Sandal, No Assignee
D679,897	Upper for a Shoe, Assignee Columbia Insurance Company
D679,896	Footwear, No Assignee
D679,491	Upper for a Shoe, Assignee Columbia Insurance Company
D679,490	Upper for a Shoe, Assignee Columbia Insurance Company
D679,489	Insole, Assignee S.C. Johnson & Son, Inc.
D679,488	Shoe Bottom, Assignee Skechers U.S.A., Inc.
D679,487	Shoe Sole, Assignee New Balance Athletic Shoe, Inc.
D679,486	Shoe Outsole and Periphery, Assignee Skechers U.S.A., Inc.
D679,485	Shoe Outsole and Periphery, Assignee Skechers U.S.A., Inc.

Trademarks published in the month of April:

[ARIS ALLEN](#)
[ARIS ALLEN](#)
[LILYPAD](#)
[SCHEÉ](#)
[SCHEE](#)
[ALDO BOUTIQUE](#)
[BZEES](#)
[BZEES](#)
[PROJECT EMOTION](#)
[ION MAN](#)
[FIVE FLOPS](#)
[VARSITY LAST PASS](#)
[WISHFUL PARK](#)
[HAWK](#)
[ENTRADA](#)
[MAD HANDLE](#)
[WAVE KIZUNA](#)
[RICHARD MICHAEL SHOES](#)
[J JANET SPORT](#)
[CHEEKS BAREFOOT](#)
[JULIE LOPEZ](#)
[JOINED AT THE SOLE](#)
[JOINED AT THE SHOE!](#)
[TIGERTIP](#)
[MEL](#)
[PAIRENDIPITY](#)
[WET SEAL](#)

[MGX BY MOUNTAIN GEAR](#)
[PLANET FLOPS](#)
[PRESSURE POINTZ](#)
[SPORT STAGS](#)
[MCCAULEY](#)
[FABIO DE LUCA](#)
[DYNAFLEX](#)
[CLASBEN](#)
[BLVD GONZALEZ BOCANEGRA](#)
[LUISGONZALO](#)
[DAWGS GOLF](#)
[BIOMIMETIX](#)
[WEAR THE SHOES. RULE THE WORLD.](#)
[P L PEDI-LICIOUS](#)
[ALESSIA SOLARI](#)
[T R](#)
[SUNSMILES](#)
[PEDI-LICIOUS](#)
[ECO RUBBER](#)
[RESAGRIP](#)
[MOCCASOLES](#)
[FF FLIPSTERS](#)
[GIO DIEV](#)
[SOLDINI](#)
[JUMP](#)
[PLEASURE IN EVERY STEP](#)
[LUNAFROST](#)
[SYDNEY BROWN](#)
[ZALO](#)
[QQ GIRLS](#)
[LUCAS CABAGGI](#)
[ENJOYWALK](#)
[SPLOSHES](#)
[SPLOSHES](#)
[BULL AND TASSEL](#)
[BULL + TASSEL](#)
[GIANNICO](#)
[MASCHA](#)
[SWEET LIFE](#)
[COUPLEOF](#)
[FITFLOP FF2](#)
[Jafa](#)
[CLARKS FIRST SHOES](#)
[TOPCREWS](#)
[MAYASHEU](#)
[THE SHAPE THAT FEELS GREAT](#)
[MAYASHEU](#)
[LAUNDRY LIST](#)
[MACK](#)
[FROGS HANDCRAFTED GENUINE LEATHER SANDALS](#)
[BIT & BRIDLE](#)
[RIVERS BAREFOOT](#)
[RXN](#)
[300GMS](#)
[LOSERS STICK TO YOUR GUNS](#)
[EVA'S](#)
[WE'VE GOT YOUR FEET COVERED.](#)
[JAZZY BOOT BELTS](#)

[LITTLE GREEN TRIKE](#)
[KLOGS USA LITE](#)
[FF2](#)
[NLY SHOES](#)
[ZIGLITE](#)
[SMOOTHFLEX](#)
[SHAWN LOREN](#)
[SL](#)
[SHAWN LOREN](#)
[PHOENIX LIGHT YOUR FIRE](#)
[BERRENDO](#)
[LODGE LOFERS](#)

General News

Patent Office Rules in Favor of Hungarian Inventor, not Adidas
The Budapest Report (budapestreport.com)
May 21, 2013
By Tamas S. Kiss



In a breakthrough decision the Hungarian Patent Office (HPO) has recently ruled that the patent claims of Hungarian inventor Laszlo Oroszi (covering a football shoe concept known as the sporting shoe with ball-directing striped-line zone) is valid and remains in force. This is much to the disappointment of the German sports manufacturing giant Adidas, who had allegedly built it into some of their football shoes without his permission.

In an ongoing lawsuit the accused (Adidas) argued that the plaintiff (Hungarian inventor Laszlo Oroszi) had obtained an inherently invalid patent and had asked HPO to declare it invalid. In the multi-phase proceeding the competent patent court returned the case last autumn to the HPO for decision. On May 12, 2010 the HPO tribunal declared for the third time that Oroszi does indeed hold a valid patent. This way the decision deprives any new grounds for Adidas to object against Oroszi's concept, should they again want to appeal to the court against this decision.

Oroszi's legal representative Michael Lantos, Managing Partner of the Hungarian IP law firm, Danubia patent & Law Office said, "If Adidas does appeal, they can not rely on any new grounds of objection." In 2006 Adidas initiated a nullity proceeding against Oroszi's patent in Hungary in response as a defense mechanism in the patent infringement lawsuit started by Oroszi, accusing the German company of unauthorized use of his patent.

The court had had to suspend this proceeding of patent infringement until the status of his patent had become finally resolved.

Lantos explained that it was clear Adidas wants to continue its time-gaining policy by again appealing the favorable decision of HPO, but added that the company would have to sooner or later surrender as Oroszi's patent has become stronger after each round of the HPO's decision, analyzing in detail why the arguments against the validity of the patent were not persuasive.

Oroszi claims that the sportswear manufacturer has made millions using his concept without his permission, but he is obliged to sue in Hungary as he had no funds to obtain adequate foreign patent protection.

Oroszi warns the international sports manufacturing 'Goliath' should be aware that the 'little Hungarian shepherd boy' has held the winning pebbles all along in this case. He said, "I again invite Adidas to negotiate a peaceful settlement before they are publicly defeated. I

don't care how big they are; in the end justice will prevail!" Oroszi believes Adidas is currently too stubborn and over-confident compared to the actual weight of its argument.

Lantos says, "It might be possible that the repeated defeat will change Adidas' attitude and this time they will try to terminate the dispute with an out of court settlement."

He added, "When Oroszi wins in the end and Adidas is qualified as the patent infringer, it will definitely cause more harm to the goodwill of Adidas than it could have cost paying settlements to Oroszi." He explained that all his previous effort to settle the issue amicably had been rejected by Adidas, who thinks that Oroszi will get exhausted in the struggle and will give up because of the costs."

The inventor said, "Although legal proceedings may take some more time I'm always ready to continue confronting Adidas, until the case is terminated." He claims Adidas did not show up at the last hearing, except for its lawyers. He suggests that perhaps the German giant was lying low for some reason - perhaps the fact that negative news for Adidas could now easily overshadow the group's image during the 2010 FIFA World Cup tournament in South Africa. Oroszi concluded, "The tiny pebbles like me are the ones that will wear your shoes and not the big rock image you so proudly stand on!"

Ironically Oroszi's patent attorney carries the same name (not related) as the late Michael Lantos (born Sept 29, 1928, Budapest; December 31, 1989), who was considered one of the world's best defenders in the legendary Hungarian Golden Team which played in the final against West Germany in the 1954 World Cup in Bern.

THE GENESIS

But when and where did it all begin? Why is Oroszi so adamant about suing the underpants off Adidas? Why has Oroszi taken Adidas to court to answer for an alleged patent infringement and utilizing his concept without his permission? Budapest report asked the Hungarian inventor

Oroszi says that every year Adidas boasts new innovative ideas. "But just how much of those ideas are genuinely developed by Adidas?" the Hungarian inventor asks.

"All my life I have been a great fan of Adidas products," claims Oroszi. But something happened on the way to Heaven, when Adidas was gearing up to the European Football Championships in 2000, spending billions on promoting what it then called its 'new Predator Precision' football boots. Adidas signed the likes of Alesandro Del Piero, David Beckham and Zinedine Zidane to promote the classy boots. Oroszi exclaimed with disbelief and shock, "I couldn't believe my eyes when I happened to then see Beckham's picture on the cover of a Hungarian magazine, holding up his new 'Equipment Predator Precision' boots with my patented concept."

The Hungarian went on, "It's difficult to prove that companies steal intellectual property, but I have proof that I had earlier offered my innovative concept to Adidas. At the time they rejected, but later used it without my permission selling my concept-wearing shoes for a recommended retail price of about USD 100 a piece."

When confronted about the accusation at the time, Peter Csanadi, Press Officer for Adidas in Germany said, "It's out of the question; Adidas always comes up with its own new ideas. Even our biggest competitors know that these applications (Oroszi's concept used without permission) are our own." Despite denials from Adidas the German company could not provide patents, even similar to those of Oroszi's, for his concept built into its 'Predator Precision' series.

THE OROSZI CONCEPT

Laszlo Oroszi is a soccer gear inventor and has a whole string of patents for football use. He registered his patent in question at the HPO on October 14, 1996.

"My patented concept permits football players to shoot more accurately at goals," the inventor explains, showing proof of tests carried out by top local football players including Laszlo Nagy, who is considered a classic midfielder and was a member of the Hungarian Olympic football team, which snatched gold in Mexico in 1968. He has nine Hungarian championships and 25 national caps.

Oroszi said preliminary tests of his concept were ironically also carried out at in Germany's Cologne, one of Adidas' centers. These, proved favorable and while Oroszi was perfecting his prototypes, his representative met with Adidas in 1998. He said, "In Hungary we were introduced to Herbert Gallocke, who then was head of Adidas' Netherlands-based Global Technology Centre. We offered the concept to Adidas, but at the time Gallocke declined, saying, 'It does not fit into Adidas' predator concept'." So much that it was built into the Adidas boots and launched in time for the Euro 2000 Football Championship, according to the inventor.

Oroszi said that once he had taken legal action against Adidas, he had received a letter from them dated July 25, 2002 in which they admitted Gallocke did "remember receiving an unsolicited idea submission." But while Gallocke appeared to have then shelved the idea, Adidas had acted on the contrary, according to the inventor.

For clarification purposes Laszlo Oroszi is definitely not the inventor of Predator football boots (as mistakenly referred to by some of the Hungarian media). Predator football boots were originally designed and developed for Adidas by Australian, former Liverpool great, Craig Johnston in 1991. However it is Oroszi who invented and initiated the ball-directing striped-line zone that Adidas added and further developed on the Predator boots.

Nike LeBrons to NFL Helmets Protecting Edges in Patent Lawsuits
Bloomberg Businessweek
May 13, 2013
By Susan Decker

Nike Inc. ([NKE](#)) is designing golf clubs with data-collecting sensors to help perfect a swing. Its LeBron X+ basketball shoes can measure vertical leap.

No longer are sporting-goods makers relying just on the allure of a star athlete or a colorful design to sell athletic wear and equipment. As they build in technology to sell performance and safety advantages, they're encountering the same sorts of legal challenges to their features as makers of smartphones and medical devices have.

Patent-infringement lawsuits were filed this year against Beaverton, Oregon-based Nike over its FuelBand monitor, through which users download heart rates and other data to a smartphone application, and its Hyperdunk+ and LeBron X+ shoes, the latter named for the Miami Heat's LeBron James.

The litigation promises to be expensive -- patent cases with more than \$25 million at stake cost \$5 million on average, according to the American Intellectual Property Law Association - and could determine winners in the growing market.

"You have a relatively small industry, with a relatively few number of players and incredibly competitive companies," attorney Brian Rosenthal of Mayer Brown in Washington. "Everytime there's a technological advance, everyone wants to be number one."

Gadgets that combine electronics with athletic equipment are the fastest growing segment of the so-called wearable device market, which also includes Google Inc. ([GOOG](#))'s Google Glasses, according to Juniper Research, based in Hampshire, England. The market is

projected to grow from about \$800 million this year to \$1.5 billion in 2014, said Nitin Bhas, a researcher with Juniper in London.

Impact-Measuring Helmets

Nike isn't the only sporting-goods maker sued over its innovations, and the sector could be the next big patent battleground after the smartphone litigation tying up Apple Inc. ([AAPL](#)), Google Inc.'s Motorola unit, Samsung Electronics Co. and other technology companies.

SportBrain Inc., an Austin, Texas-based company that sells pedometers, sued Herzogenaurach, Germany-based Adidas and Fitbit Inc. over their activity monitors.

Easton-Bell Sports Inc.'s Riddell unit, the official maker of helmets for the National Football League, is accused of infringing a Colorado company's patents for headgear that measures the impact of a tackle or other blow and transmits it to a wireless device.

The NFL, which is facing lawsuits from more than 4,000 former players, and Riddell are under pressure to provide more protection from repeated head blows that have been linked to a progressive brain disease that can lead to dementia and death.

Motion Sensors

Electronics companies including Samsung and Royal Philips NV. are also obtaining fitness patents, said David Cornwell, a lawyer with Sterne Kessler in Washington whose clients include Adidas. "I'm seeing a lot of companies that I wouldn't expect for sports electronics," Cornwell said.

The smartphones have applications to let a user easily measure progress and get feedback, while a computer chip known as a micro-electro mechanical system, or MEMS, tracks movement or speed more accurately through motion sensors.

Fitbug Holdings Plc (FITB) Chief Executive Officer Paul Landau recalls being "in quite a lonely space" in 2005 when his London-based company started selling its electronic devices that monitor fitness activity and track progress online.

Landau said in an interview he "was having to do all the evangelizing, that you could use devices that could upload data and you could use online tools to motivate and achieve goals."

Companies envision a day when, for instance, one coach will be watching players on the field while another is keeping tabs on their vital signs on a tablet computer.

Digital Strategy

Nike is relying on its innovations to develop brand loyalty and drive sales. In the past year, it's obtained patents on golf clubs that analyze one's swing, and a computerized soccer ball to evaluate the strength of a kick.

Mary Remuzzi, a Nike spokeswoman, declined to comment on the patent litigation. Among the patents Adidas AG (ADS) was awarded recently was one for "intelligent footwear systems" -- sneakers with sensors that can adjust the cushion or sole based on how the shoe is being used.

"We are talking about technology that is real, not a pipe dream," said former NFL player Isaiah Kacyvenski, now director of sports business at Cambridge, Massachusetts-based MC10 Inc., which is developing flexible sensors that can be put on the body to monitor heart rate or other vital signs.

Golf Balls

Patent litigation over sporting goods is nothing new. Tiger Woods' switch to rubber golf balls in 2000, from the traditional elastic winding balls professionals used, helped spark one. After Woods began breaking records, all the golf companies used rubber.

A decade-long patent battle between Titleist Pro V maker Acushnet Co., now owned by a group led by Fila Korea Ltd. (081660), and Callaway Golf Co. ([ELY](#)) was only settled last year, said Rosenthal, who represented Acushnet in the fight.

"It's fair to expect that as technology plays a more important role in differentiating athletic companies, a natural part of that -- as with any other industry -- is for there to be an expansion of patent litigation," said Matt Gaudet, a patent lawyer with Duane Morris in Atlanta.

For now, most of the new innovations are for the dedicated athlete or fitness buff. Nike's top technology, called Elite+, can add \$100 to the price of a LeBron James shoe that already costs \$160, said Matt Powell, analyst with Boulder, Colorado-based SportsOneSource.

"Our phones do far more than we ask them to do," Powell said. "Why shouldn't our shoes do more, too?"

Guess Wins Gucci Suit in Italy **Women's Wear Daily** **May 3, 2013** **By Arnold J. Karr**

An Italian court has rejected Guccio Gucci SpA's claim that Guess Inc.'s use of various logos infringed on its trademarks.

The decision, which Gucci said it would "surely appeal," marks a second disappointment in the luxury house's battle with the Los Angeles-based jeanswear and sportswear maker. Last May, Gucci was awarded \$4.7 million in damages by a federal court in Manhattan on ostensibly the same charges, representing a fraction of the more than \$221 million sought by Gucci.

The 83-page verdict was made available Friday. There are ongoing actions by Gucci against Guess in both France and China. The cases have focused on various interpretations of logos involving the letter G on Guess handbags and shoes.

Paul Marciano, chief executive officer of Guess, commented, "In my opinion, the three-year battle in New York and four years in Milan was a result of massive and unnecessary litigation that should have been easily resolved with a simple phone call, which Gucci never made."

Marciano continued, "The tactics of Gucci are nothing less than bullying. Because of their endless resources, Gucci has been forum shopping all over the world to try and stop Guess from expanding its successful accessories business. It's fundamentally wrong and unconscionable."

Gucci described the use of a number of G-based logos by Guess as "unlawful and parasitic free-riding on Gucci's trademark and, in general, its brand image."

Gucci said it would "certainly bring an appeal against the above decision, which in its view is potentially dangerous for the protection of the 'Made in Italy.' In particular, Gucci will ask that the Court of Appeal entirely set aside said decision, by granting both its trademark infringement and unfair competition claims against Guess."

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