



## JEFFERY A. HANDELMAN **SHAREHOLDER**

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### EDUCATION

J.D.,  
Georgetown University Law Center, 1984  
B.A.,  
University of Illinois, 1981

### BAR ADMISSIONS

Illinois  
U.S. Patent & Trademark Office  
U.S. Dist. Court, N.D. Illinois, Trial Bar  
U.S. Court of Appeals, Fed. Cir.  
U.S. Court of Appeals, 4th Circuit  
U.S. Court of Appeals, 11th Cir.  
U.S. Court of Appeals, 7th Circuit

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With more than 30 years of handling complex intellectual property (IP) litigation, Jeffery A. Handelman is nationally recognized for his experience and knowledge as a litigator and counselor in the field. He focuses on trademark, unfair competition, trade dress, dilution, false advertising, copyright, licensing, trade secret, and Internet-related matters, and his clients include some of the world's best known brands. Mr. Handelman is the author of the two-volume treatise, *Handelman's Guide to TTAB Practice* (Wolters Kluwer), updated annually. He is a frequent author and speaker on trademark-related topics.

His clients own some of the world's most iconic brands, including American Airlines, The Coca-Cola Company, Alticor and its related Amway companies, Kimberly-Clark, Little Caesars, National Association of Realtors, oneworld Alliance, Raytheon, General Mills, and Jockey.

A past co-chair of Brinks' Litigation Department and past chair of its Trademark Practice Group, Jeffery has represented these and many other clients in U.S. District Courts and internationally, and has argued cases in the U.S. Courts of Appeals for the Federal Circuit, the Fourth Circuit, the Seventh Circuit, and the Eleventh Circuit. Moreover, he has practiced extensively before the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office (TTAB). A representative list of Handelman's Federal Court and TTAB cases can be found here.

On the strength of this experience at the TTAB, Jeffery wrote the two-volume *Handelman's Guide to TTAB Practice* (Wolters Kluwer), now a leading treatise in the field. *Guide to TTAB Practice* includes extensive coverage of trademark cases heard at the U.S. Court of Appeals for the Federal Circuit, and includes a Foreword by Federal Circuit Judge Pauline Newman. On its publication, Jeffery was named co-winner of the 2008 Burton Award for Legal Achievement in the category of Best Law Firm Compendium. Handelman also wrote *Stretching Trademark Laws to Protect Product Design and Packaging*, *Landslide* Vol. 4, No. 3 (January/February 2012). This article was originally published by the American Bar Association and then translated into Chinese by the U.S. Chamber of Commerce. English version is [here](#). Chinese version is [here](#).

In addition to his litigation experience, Jeff has an active expert witness practice focusing primarily on trademark law issues and trademark practice and procedure in the U.S. Patent and Trademark Office. He also is actively involved in mediation and alternative dispute resolution, and has served as a mediator for the International Trademark Association and the U.S. District Court for the Northern District of Illinois.

## Biographies | Jeffery A. Handelman

Jeffery and his team counsel clients on a variety of matters related to trademarks, including managing international trademark portfolios, conducting trademark audits, preparing trademark compliance manuals, and developing global trademark-enforcement and trademark-filing strategies.

Jeffery speaks frequently on legal topics to organizations including the American Law Institute – American Bar Association Committee on Continuing Professional Education, the American Bar Association Section of Intellectual Property Law, Practising Law Institute, the International Trademark Association, and LexisNexis, as well as at some of the nation's top law and business schools, including the University of Chicago Graduate School of Business, Fordham University School of Law, Northwestern University School of Law, and Northwestern University's Kellogg School of Management.

Outside the intellectual property field, Jeffery has a longstanding interest in legal history. His profile of Emory R. Buckner, the great leader of the New York bar in the 1920s and 1930s, was published in the Federal Bar Council Quarterly (Dec./Jan./Feb. 2019) and can be found [here](#).

### EXPERIENCE | LEGAL EXPERIENCE

- **Brinks Gilson & Lione**, Chicago, Illinois  
Shareholder, January 1990-Present  
Associate, June 1984-December 1989
- **Management Positions**  
Board of Directors  
Executive Committee  
Long Range Strategic Planning Committee  
Conflicts Committee

### EXPERIENCE | TEACHING EXPERIENCE

- **Georgetown University Law Center**  
Instructor, Legal Research and Writing, 1983 - 1984

### PRACTICE GROUPS

Appellate  
Copyright  
International Trademark  
Litigation  
Trademarks & Unfair Competition  
Design Protection

### FORWARD THINKING

#### Alerts

- A (Free) Birthday Present for Everyone?, October 13, 2015
- Fight Over ZERO Trademark Remanded Back to Trademark Trial and Appeal Board After Federal Circuit Broadens Test for Generic Trademarks, August 16, 2018
- The Wedding is Off: Second Circuit Vacates Summary Judgment in Tiffany Engagement Ring Case, September 28, 2020

#### Publications

- Guide to TTAB Practice, two-volume treatise
- 2020 Litigation procedures and strategies: United States, January 09, 2020
- Litigation procedures and strategies: United States, January 29, 2019
- OEM Trademarks in the AfterMarket: Exploring the Boundaries, September 19, 2018

- Stretching Trademark Laws to Protect Product Design and Packaging, January/February 2012

#### Presentations

- "Copyright & Trademark: New Age Strategies in the Digital Era," International Intellectual Property Law Association Fourth Annual Meeting, Palo Alto, California, September 25, 2019
- "Key Principles of Trademark Law and Unfair Competition," Practising Law Institute's: Fundamentals of Trademark Law in the Global Marketplace 2019, Chicago, Illinois, June 13, 2019
- "U.S. Trademark Law Update: TTAB Appellate Pathways & Case Studies," 27th Annual Fordham Intellectual Property Law & Policy Conference, New York City, April 26, 2019
- "Current Developments in Trademark Law," 62nd Annual John Marshall Law School IP Law Conference, Chicago, Illinois, November 2, 2018
- "Key Principles of Trademark Law and Unfair Competition," Practising Law Institute's: Fundamentals of Trademark Law in the Global Marketplace 2018, Chicago, Illinois, June 14, 2018
- "U.S. Trademark Law Update: Noteworthy Developments at the TTAB," 26th Annual Fordham Intellectual Property Law & Policy Conference, New York City, April 6, 2018
- "Current Developments in Trademark Law," 61st Annual John Marshall Law School IP Law Conference, Chicago, Illinois, November 3, 2017
- "Key Principles of Trademark Law and Unfair Competition," Practising Law Institute's: Fundamentals of Trademark Law in the Global Marketplace 2017, Chicago, Illinois, June 15, 2017
- "EU Boards of Appeal & U.S. Trademark Trial and Appeal Board: Where Have They Been? Where Are They Going," 25th Annual Fordham Intellectual Property Law & Policy Conference, New York City, April 21, 2017
- "Design Patent Damages and Proving What Drives Consumer Demand," Brinks Gilson & Lione Webinar, Chicago, Illinois, October 25, 2016
- "Design Patent Damages and *Apple v. Samsung*," Association of Corporate Counsel Annual Intellectual Property Law Program, Chicago, Illinois, September 22, 2016
- "Key Principles of Trademark Law and Unfair Competition," Practising Law Institute's: Fundamentals of Trademark Law in the Global Marketplace 2016, Chicago, Illinois, June 14, 2016
- "Trade Dress and Design Patent Protection in the Wake of *Apple v. Samsung*," 24<sup>th</sup> Annual Fordham Intellectual Property Law & Policy Conference, New York City, April 1, 2016
- "Design Patent Construction in the post *Apple v. Samsung* Era," NJTIP Annual Symposium, Northwestern University School of Law, Chicago, Illinois, March 10, 2016
- "Key Principles of Trademark Law and Unfair Competition," Practising Law Institute's: Fundamentals of Trademark Law in the Global Marketplace 2015," University of Chicago Gleacher Center, Chicago, Illinois, June 16, 2015
- "A Comparative Look at Maximizing the Value of Discontinued Brands," 23rd Annual Fordham Intellectual Property Law & Policy Conference, Cambridge, England, April 9, 2015
- "Key Trademark Principles for Attorneys and Business Owners," Chicago Bar Association, Chicago, Illinois, October 2, 2014
- "Fundamentals of Trademark Law in the Global Marketplace 2014," Program Chair, Practising Law Institute, University of Chicago Gleacher Center, Chicago, Illinois, June 13, 2014. Presented "Key Principles of Trademark Law and Unfair Competition"
- "Opposition Practice before the Trademark Trial and Appeal Board: Judge's Perspective," Moderator, 22nd Annual Fordham Intellectual Property Law & Policy Conference, New York City, April 25, 2014
- "Opposition Practice before the Trademark Trial and Appeal Board: A Practitioner's View; and a Comparison with OHIM Boards of Appeal," Moderator, 22nd Annual Fordham Intellectual Property Law & Policy Conference, New York City, April 25, 2014

- "Maximizing the Value of Discontinued Brands" 2013 ACC Annual Conference, Los Angeles, California, October 28, 2013
- "Key Trademark Principles for Attorneys and Business Owners," Chicago Bar Association, Chicago, Illinois, October 2, 2013
- "Fundamentals of Trademark Law in the Global Marketplace 2013," Practising Law Institute, Gleacher Center, Chicago, June 14, 2013
- "Patent, Trademark and Copyright Protection: Should They Overlap?" 21st Annual Fordham Intellectual Property Law & Policy Conference, New York City, April 5, 2013
- "Maintaining Strong Trademark Rights," Brinks Gilson & Lione, Intellectual Property Law Seminar, Dallas, Texas, September 6, 2012
- "Key Principles of Trademark Law and Unfair Competition," Practising Law Institute's Understanding Trademark Law in the Global Marketplace 2012, Chicago, June 15, 2012
- "OHIM Boards of Appeal and the U.S. Trademark Trial and Appeal Board: A Close Look and Comparison" 20th Annual Fordham Intellectual Property Law & Policy Conference, New York City, April 13, 2012
- "Business Law for Entrepreneurs: Overview of Trademark and Copyright Law," Kellogg School of Management, Northwestern University, Evanston, Illinois, October 6, 2011
- "Understanding Trademark Law in the Global Marketplace 2011," Program Chair, Practising Law Institute, University of Chicago Gleacher Center, Chicago, Illinois, June 17, 2011. Presented "Overview of Basic Principles of Trademark Law and Unfair Competition"
- "Understanding Trademark Law 2010," Program Chair, Practising Law Institute, University of Chicago Gleacher Center, Chicago, Illinois, June 18, 2010. Presented "Overview of Basic Principles of Trademark Law and Unfair Competition"
- "Understanding Trademark Law 2009," Program Chair, Practising Law Institute, University of Chicago Gleacher Center, Chicago, Illinois, June 12, 2009. Presented "Overview of Basic Principles of Trademark Law and Unfair Competition"
- "Tips on TTAB Practice," The 19th All Ohio Annual Institute on Intellectual Property, Cleveland, Ohio, September 15, 2009; Cincinnati, Ohio, September 16, 2009
- "How to Handle Ex Parte Appeals Successfully," American Intellectual Property Law Association, 2008 Annual Meeting, Washington, D.C., October 24, 2008
- "*Tiffany v. eBay*: Roadmap for Avoiding Liability or Short Detour for Trademark Owners?" Faculty Member, American Law Institute–American Bar Association Telephone Seminar/Audio Webcast, August 6, 2008
- "Avoiding Fraud in Trademark Cases," Brinks Gilson & Lione, Intellectual Property Law Seminar, Glenview, Illinois, June 24, 2008
- "Understanding Trademark Law 2008," Program Chair, Practising Law Institute, University of Chicago Gleacher Center, Chicago, Illinois, June 20, 2008. Presented "Overview of Basic Principles of Trademark Law and Unfair Competition"
- "Understanding Trademark Law 2007," Program Chair, Practising Law Institute, University of Chicago Gleacher Center, Chicago, Illinois, June 5, 2007
- "Trademarks and the Supreme Court," IP Day in Chicago, Chicago Intellectual Property Alliance, Loyola University of Chicago School of Law, February 7, 2007
- "Non-Traditional Trademarks," International Intellectual Property Law Symposia, University of Victoria, Vancouver, British Columbia, Canada, July 14, 2006
- "New Frontiers for Trademarks, Non-Traditional Trademarks," Loyola Law School, Los Angeles, California, February 2006
- "Going Global: Key Trademark Issues," International Intellectual Property Law Symposia, St. Peter's College, University of Oxford, Oxford, United Kingdom, June 2005

## Biographies | Jeffery A. Handelman

- "Litigating Trademark, Domain Name, and Unfair Competition Cases," ALI-ABA Course of Study, Washington, D.C., May 2005
- "Trademark Law," presenter, *Perspectives on U.S. IP Law and Practices in 2004*, Smart & Biggar, Ottawa, Ontario, Canada, December 22, 2004
- "Ethical Issues," American Law Institute–American Bar Association Committee on Continuing Professional Education, Chicago, Illinois, April 2004
- "Trademark Issues Confronting Small Businesses," Northwestern University School of Law, Chicago, Illinois, October 2003
- "Consumer Surveys: Is There an Unbiased Survey?" LexisNexis Advanced Trademark Strategies, Chicago, Illinois, April 2002
- "Oral Argument in a Contested TTAB Proceeding," Practising Law Institute, San Francisco, California, February 2002
- "Federal Court and Trademark Trial and Appeal Board Practice," International Trademark Association Forum, Arlington, Virginia, September 2000
- "Internet Policing and Enforcement," International Trademark Association Forum, Arlington, Virginia, September 2000
- "Innovation @ the Speed of E-Commerce: Strategic Business and Intellectual Property Perspectives," Symposium hosted by the University of Chicago Graduate School of Business, Chicago, Illinois, September 2000
- "Computer, Telecommunications and Financial Services Industry Focus Session," International Trademark Association Annual Meeting, Denver, Colorado, May 2000
- "Motion Practice Before the Trademark Trial and Appeal Board," International Trademark Association Forum, Washington, D.C., September 1998
- "International Challenges in Trademark Trial and Appeal Board Proceedings," International Trademark Association Forum, Arlington, Virginia, September 1997
- "Dilution of Famous Trademarks Under U.S. Law," International Trademark Association Annual Meeting, San Antonio, Texas, May 1997
- "Proceedings Before the Trademark Trial and Appeal Board," International Trademark Association Forum, Arlington, Virginia, September 1995
- "The Most Significant Court Decisions and Legislation," ABA Section of Intellectual Property Law, Arlington, Virginia, April 1994

## HONORS

- *World Trademark Review 1000*, National Silver Band, Enforcement & Litigation, 2016-2021
- *World Trademark Review 1000*, Illinois Gold Band, Enforcement & Litigation, 2019-2021  
Silver Band, Enforcement & Litigation, 2018  
Bronze Band, Enforcement & Litigation, 2013-2017
- *World Trademark Review Global Leaders*, 2020
- IP Star, *Managing Intellectual Property* magazine, 2018-2020
- Illinois Super Lawyers, Intellectual Property Litigation, 2005-2017
- *The Best Lawyers in America*, Trademark Law, 2013, 2015-2021
- Leading Intellectual Property Lawyer, Leading Lawyers Network, Law Bulletin Publishing Company, 2004-2005, 2007, 2009-2012, 2014
- *Who's Who Legal USA: Trademarks*, 2006, 2008

### AFFILIATIONS

- Chicago Bar Association
- International Trademark Association
- The Lawyers Club of Chicago
- Federal Circuit Bar Association
- Intellectual Property Owners Association
- Intellectual Property Law Association of Chicago
- The Georgetown Club of Chicago
- Georgetown University Alumni Association
- University of Illinois Alumni Association
- Mediation Activities  
INTA – CPR Panel of Neutrals  
U.S. District Court for the Northern District of Illinois  
Neutral for Lanham Act Mediation Program  
Involved in numerous cases successfully resolved through mediation

### REPRESENTATIVE MATTERS

- **Litigation**
- ***V&V Supremo Foods, Inc. v. Olé Mexican Foods, Inc., 19-cv-01904-JPB (Judge Boulee) (N.D. Ga. 2019)***  
Representing V&V Supremo in asserting trademark infringement, false designation of origin and related state claims against Defendant's asserted defenses of genericness and fair use in case involving cheese products.
- ***Little Caesar Enters, Inc. et al. v. Rage Administrative Marketing Services, Inc. et al., 18-cv-00132 (Judge Van Tatenhove) (E.D. Ky. 2018)*** Represented Little Caesar in asserting trademark infringement, false designation of origin and related state claims against Defendant's asserted counterclaims and continuous prior use defense.
- ***Little Caesar Enterprises, Inc. and Bravo Food Service, LLC v. Ready To Go Pizza, Inc. and Ward, No. 1:14-cv-1365 (N.D. Ga. 2014)***. Lead counsel for Little Caesar in trade secret misappropriation action against former managerial employee who opened a competing pizza restaurant.
- ***Alticor Inc. v. Nutrisystem, Inc. and Nutri/System IPHC, Inc., No. 1:12-cv-256-RHB (W.D. Mich. 2012)***. Defended Alticor against a claim that the expansion of its global brand NUTRILITE into the weight management field would infringe and dilute Nutrisystem's alleged prior rights in the NUTRISYSTEM mark for weight-loss goods and services. The case was successfully resolved based on a confidential settlement agreement between the parties.
- ***Georgia-Pacific Consumer Products LP v. Kimberly-Clark Corp., 647 F.3d 723, 99 USPQ2d 1538 (7th Cir. 2011)***. Lead counsel in case in which the U.S. Court of Appeals for the Seventh Circuit addressed the impact that a utility patent can have on a claim of trademark infringement. Georgia-Pacific brought suit against Kimberly-Clark for trademark infringement based on its alleged rights in the "Quilted Diamond Design" embossed on its QUILTED NORTHERN toilet paper. Georgia-Pacific's infringement claims were directed against Kimberly-Clark's use of allegedly similar embossed designs appearing on the surface of its COTTONELLE ULTRA and SCOTT toilet paper. Kimberly-Clark moved for summary judgment against Georgia-Pacific on the basis that Georgia-Pacific's asserted designs are claimed in several utility patents and are functional in that they improve the performance of toilet paper in several respects. Citing the many admissions contained in the utility patents, the Court of Appeals concluded as a matter of law that the asserted designs are functional and therefore not entitled to trademark protection.



- *Lockheed Martin Corp. v. Raytheon Co.*, Opposition Nos. 91167189 and 91174152 (TTAB 2011). Lead counsel in dispute between premier defense contractors over rights in the term "Paveway" used for laser-guided bombs. Raytheon was the exclusive supplier of Paveway laser-guided bombs for more than 30 years. Claiming that the term had become generic, Lockheed Martin began using Paveway to identify competing laser-guided bombs after being qualified by the Government as a second source. Lockheed Martin opposed Raytheon's applications to register the Paveway mark in the U.S. and internationally. The Trademark Trial and Appeal Board held that Paveway had become generic in the United States, whereas several foreign tribunals found Paveway to be a valid mark entitled to protection.
- *National Spiritual Assembly of the Baha'is of the United States of America Under the Hereditary Guardianship, Inc. v. National Spiritual Assembly of the Baha'is of the United States of America, Inc.*, 628 F.3d 837, 97 USPQ2d 1543 (7th Cir. 2010). Lead counsel in case in which the U.S. Court of Appeals for the Seventh Circuit addressed an important aspect of the law of injunctions – the extent to which a non-party is bound by an injunction on the basis of privity. The issue arose in the context of a civil-contempt proceeding brought by the National Spiritual Assembly of the Baha'is of the United States ("NSA"), a religious organization, alleging violations of an injunction entered over 40 years ago. The injunction prohibited defendant, a dissident religious group, from infringing the marks of the NSA. The Court of Appeals held that the alleged contemnors – individuals and religious groups who were not parties to the original lawsuit – were not in privity with the defendant in the underlying action and therefore not bound by the injunction.
- *Amway Corp. v. The Himalaya Drug Co.*, Civil Action No., 1:09-cv-835 (W.D. Mich. 2009). Lead counsel for Amway in declaratory judgment action seeking declaration that Amway's use of the phrase "Garlic Heart Care Formula" as a product descriptor in connection with its NUTRILITE dietary supplements is a fair use and does not infringe or dilute any alleged rights of adverse party. The declaratory judgment action resulted in a settlement agreement in which the parties agreed that Amway's use of the disputed phrase did not violate any rights of Himalaya in the U.S. or abroad.
- *American Airlines, Inc. v. American Assist Travel Services, Inc. and Gerardo Villafane*, No. 08-23476-CIV-HUCK (S.D. Fla. 2008). Lead counsel for American Airlines in trademark infringement action directed against infringement of the marks AA and AMERICAN AIRLINES. The lawsuit resulted in the entry of a Consent Judgment prohibiting defendants from engaging in further infringing activity.
- *Wizard Publications, Inc. v. Kimberly-Clark Corp. and Kimberly-Clark Global Sales, Inc.*, Civil Action No. CV-06-11-BU-SEH (D. Mont. 2006). Lead counsel for Kimberly-Clark in a copyright infringement suit that was tried to a jury. A graphic designer sold Kimberly-Clark a print for use on its GOODNITES disposable underwear product. Although the designer warranted and represented that the print was original with him and thus did not infringe the rights of others, the print in fact infringed plaintiff's rights in a copyrighted photograph. The trial focused mainly on damages: to what extent did Kimberly-Clark's use of the infringing design increase its sales of the GOODNITES product? The jury awarded the copyright holder only a small portion of the money damages that were requested.
- *Tyco Healthcare Group LP and Tyco Healthcare Retail Group, Inc. v. Kimberly-Clark Corp., Kimberly-Clark Worldwide, Inc. and Kimberly-Clark Global Sales, Inc.*, Civil Action No. 1:06-cv-11809-JLT (D. Mass. 2006). Lead counsel for Kimberly-Clark in an action filed by Tyco Healthcare alleging infringement of the trademark FLEXI-WINGS, a mark licensed by Tyco Healthcare to Proctor & Gamble for use on ALWAYS sanitary pads. Tyco Healthcare sought a preliminary injunction against Kimberly-Clark's use of the mark COMFORT FLEX in conjunction with the term "Wings" in connection with KOTEX sanitary pads. The court found that "Wings" is a generic term that refers to the protruding tabs on the side of a sanitary pad. Finding that Kimberly-Clark's use of "COMFORT FLEX Wings" was protected under the fair use doctrine and also did not give rise to any likelihood of confusion, the court denied Tyco Healthcare's motion for a preliminary injunction.

- *Crosstex International, Inc. v. Kimberly-Clark Corp.*, 04 CV 5313 (E.D.N.Y. 2004). Lead counsel for Kimberly-Clark in a declaratory judgment action in which plaintiff Crosstex sought a declaration that it was not infringing Kimberly-Clark's trademark rights in the color orange for disposable medical face masks. Kimberly-Clark filed counterclaims asserting trademark infringement, trademark dilution and related claims. The case was successfully resolved based on a settlement agreement pursuant to which Crosstex acknowledged the validity of Kimberly-Clark's asserted trademark rights and discontinued its use of the color orange in association with medical face masks.
- *Roder Zeltsysteme und Service AG v. Roder and Roder Hts Hocker America, LLC*, Civil Action No. 3:04-CV-0193 (S.D. Ind. 2004). Lead counsel for defendant Heinz Roder, a German citizen, in a case involving the client's right to use his own surname as a trademark and trade name. Mr. Roder sold his company "Roder Zeltsysteme und Service AG" along with the right to use the name "Roder" in connection with the business. Mr. Roder also agreed to a five-year non-compete period. Shortly after the non-compete period expired, Mr. Roder began operating a competing business under the name "Roder Hts Hocker America, LLC." The purchaser of the original business sued for trademark infringement, claiming that, with the sale of his company, Mr. Roder relinquished his right to use RODER as a trademark and trade name. The dispute was successfully resolved pursuant to a settlement agreement permitting the client to use his full name "Heinz Roder" in accordance with specified usage guidelines.
- *Discover Financial Services, Inc. v. Mary Catherine Taylor*, No. 01-CH-19239 (Cir. Ct. Ill. 2001). Lead counsel for Mary Catherine Taylor, a former employee of Discover Financial Services, in a trade secret case in which Discover Financial sought a temporary restraining order and preliminary injunction prohibiting Ms. Taylor from working on an identity-theft protection product offered by G.E. Financial Assurance Partnership Marketing Group. Ms. Taylor had access to Discover Financial's confidential and proprietary information while serving as the marketing manager for a competing product offered to holders of Discover Credit cards. Discover Financial claimed that Ms. Taylor would "inevitably disclose" its trade secrets if allowed to work in her new position for G.E. Financial Assurance. In ruling on Discover Financial's motion for a preliminary injunction, the court found that plaintiff was not likely to succeed in showing that Ms. Taylor had disclosed or used any of plaintiff's trade secrets or that she inevitably would do so during the course of her employment with G.E. Financial Assurance.
- *Jacob Zimmerman v. National Association of Realtors*, Cancellation Nos. 32,360 and 40,141 (TTAB 2001). Lead counsel for National Association of Realtors ("NAR") in a case that upheld the validity of the collective service marks REALTOR and REALTORS. The TTAB rejected petitioner's genericness claim, holding that the primary significance of the REALTOR mark is that of a proprietary term indicating membership in NAR. A consumer survey submitted on behalf of NAR showed that over 80% of real estate agents and brokers recognized that the term REALTOR does not refer to all real estate agents, but rather refers only to those who are members of NAR or one of its local or state associations. The TTAB observed that real estate professionals "should be permitted to continue making knowledgeable and informed decisions based on the source-indicating functions of these marks."
- *RDV Sports, Inc. v. Logo Connections, Inc.*, No. 6:99-CV-1346-Orl-22B (M.D. Fla. 1999). Lead counsel for RDV Sports, Inc., the owner of the Orlando Magic of the National Basketball Association and the Orlando Solar Bears of the International Hockey League, in an action involving the client's right to use the name, mark, logo and mascot of the Orlando Solar Bears professional ice hockey team. The adverse party Logo Connections asserted trademark infringement, copyright infringement and related claims, seeking an injunction and money damages against RDV Sports. The case was successfully resolved, with Logo Connections acknowledging that the client's use of the mark ORLANDO SOLAR BEARS and Design did not infringe any of the asserted trademark or copyright rights.



- **Quixtar Investments, Inc. v. Brian Seifert individually and d/b/a Information Technologies**, No. 1:99-CV-614 (W.D. Mich. 1999). Lead counsel for Quixtar Investments, Inc., a related company of Amway Corporation, in an action involving claims of fraud and unfair competition relating to the QUIXTAR mark. As Quixtar's multi-million dollar Internet business was being launched, defendant Mr. Seifert claimed to have prior rights in the QUIXTAR mark seeking a settlement in the amount of \$2,500,000. Quixtar responded by asserting claims of fraud and unfair competition against defendant. The Court entered judgment in favor of Quixtar, declaring that Quixtar's use of the QUIXTAR mark does not violate any rights of defendant, and permanently enjoining defendant from using the QUIXTAR mark or any confusingly similar mark.
- **Fort James Corporation v. Kimberly-Clark Tissue Company**, No. 98-C-7834 (N.D. Ill. 1998). Lead counsel for Kimberly-Clark in an action brought by Fort James alleging trademark infringement, copyright infringement and design patent infringement based on Kimberly-Clark's use of an embossed design appearing on the surface of bathroom tissue. Kimberly-Clark filed counterclaims against Fort James and petitioned to cancel the trademark registrations covering the embossed designs asserted in the lawsuit. The case was successfully resolved based on a confidential licensing agreement reached between the parties.
- **Arleen Freeman v. National Association of Realtors**, Cancellation Nos. 27,885 and 28,047 (TTAB 1998). Lead counsel for National Association of Realtors ("NAR"), the nation's largest professional association, in a cancellation proceeding involving the defense of licensee estoppel. The petitioner, Ms. Freeman, had been a member of NAR for over twenty years when she terminated her affiliation and created a competing real estate association. Petitioner then filed petitions seeking to cancel NAR's registrations covering the REALTOR and REALTORS marks on genericness grounds. The TTAB held that, because Freeman was a member of NAR for many years and was authorized as a licensee to use the REALTOR marks, Freeman was precluded by the doctrine of licensee estoppel from challenging the validity of those marks. Dismissing on that ground, the Board did not reach the merits of the genericness claim.
- **Yamaha Corporation of America v. Everett Piano Company**, Opposition No. 108,787 (TTAB 1997). Lead counsel for applicant Wrightwood Enterprises in an abandonment case involving the trademark EVERETT for pianos. The Board held that opposer Yamaha Corporation of America, a leader in the piano market, abandoned the mark EVERETT for pianos several years after its acquisition of the Everett Piano Company. Yamaha therefore lacked superior rights in the mark and could not prevail on its claim of priority.
- **Sloppy Joe's International, Inc. v. Kentucky Textiles, Inc.**, No. 96-10043-CIV-KING (S.D. Fla. 1996). Lead counsel for Kentucky Textiles, Inc., a clothing manufacturer, in a declaratory judgment action filed by Sloppy Joe's International, Inc., the owner of the historic "Sloppy Joe's" restaurant and bar in Key West, Florida. The main issue in the case concerned the territorial extent of the right of each party to use the mark SLOPPY JOE'S for apparel products. Kentucky Textiles owned an incontestable federal registration that was granted in 1985 covering the mark SLOPPY JOES for apparel. Sloppy Joe's International had been promoting its restaurant and bar in Key West, Florida by selling promotional SLOPPY JOE'S apparel products since long prior to the issuance of Kentucky Textiles' federal registration. Contending that Sloppy Joe's International was not entitled to use the SLOPPY JOE'S mark in connection with apparel sold outside the limited area of Key West, Kentucky Textiles objected when Sloppy Joe's International expanded its business and began selling SLOPPY JOE'S apparel at new franchised locations around the country. The case was successfully resolved pursuant to an agreement under which the client granted Sloppy Joe's International a license to use the SLOPPY JOE'S mark on clothing products sold outside Key West, Florida.
- **Lone Star Steakhouse & Saloon, Inc. v. Alpha of Virginia, Inc.**, No. 93-2076, 43 F.3d 922, 33 USPQ 2d 1481 (4th Cir. 1995). Lead counsel for Lone Star Steakhouse & Saloon, a national restaurant chain, in a trademark infringement action against a local restaurant business using the LONE STAR mark in Virginia and Maryland. The U.S. Court of Appeals for the Fourth Circuit affirmed the district court's granting of summary judgment and issuance of a permanent injunction in favor of Lone Star Steakhouse & Saloon. As the senior owner of a

federal trademark registration, Lone Star Steakhouse & Saloon was awarded priority over the local junior user. Moreover, the Court found that the LONE STAR mark had "achieved a high level of recognition in the restaurant field" and that issuance of an injunction "would serve the public interest by preventing future consumers from being misled."

- *Continental Airlines Inc. v. United Air Lines, Inc.*, Opposition No. 98,459, (TTAB 1995). Lead counsel for United Air Lines, Inc. in a case involving the question whether the term E TICKET functions as a valid mark for computerized reservation and ticketing of transportation services. The TTAB held that no single air carrier is entitled to exclusive rights in the E TICKET designation; rather, the term E TICKET is generic and should be available for all carriers to use in association with electronic-ticketing services.
- *Bally Schuhfabriken AG and Bally, Inc. v. Bally Manufacturing Corporation*, No. 92-C-0312 (N.D. Ill. 1992). Represented Swiss-based Bally Schuhfabriken, owner of the trademark BALLY for prestigious apparel products and accessories, in infringement action against Bally Manufacturing's use of the mark BALLY'S in connection with low-cost apparel items sold in its casino hotels. The case was successfully resolved based on a settlement agreement that placed restrictions on defendant's use of the challenged mark.
- *Basic Books Inc. v. Kinko's Graphics Corp.*, No. 89 CIV 2807 (CBM), 748 F. Supp.1522, 18 USPQ 2d 1437 (S.D.N.Y. 1991). Represented Kinko's Graphics in a copyright infringement action brought by a group of major book publishers. The lawsuit challenged Kinko's practice of copying excerpts from books and compiling them into course packets sold to college students. After a bench trial, the court found copyright infringement. Although the copying in question promoted education, the court concluded that the copyright fair use defense did not apply given Kinko's commercial motive and the relatively large size of the excerpts that were taken.
- *Vitaline Corporation v. General Mills, Inc.*, No. 89-1397, 891 F. 2d 273, 13 USPQ 2d 1172 (Fed. Cir. 1989). Lead counsel for General Mills, Inc. in a cancellation proceeding involving the issue of claim preclusion. The U.S. Court of Appeals for the Federal Circuit affirmed the TTAB's grant of summary judgment in favor of General Mills. The court held that the claim asserted against General Mills in the cancellation proceeding could have been brought in a prior proceeding between the parties and therefore was barred.
- *The Coca-Cola Company v. Lakeside Products Company*, No. 89-C-7171 (N.D. Ill. 1989). Represented The Coca-Cola Company in an action against Lakeside's sale of "can-wrap" products designed to be placed around cans of beer in order to conceal the beer label from view and make them look like cans of COCA-COLA soft drinks. Each can wrap was red-and-white in color and displayed the designation CACO-CALO in the familiar COCA-COLA Script, together with the Dynamic Ribbon design. The court permanently enjoined the sale of the infringing can wraps, stating that the COCA-COLA and Dynamic Ribbon design trademarks "have become among the most famous trademarks in the world."
- *The Coca-Cola Company v. Alma-Leo U.S.A., Inc.*, No. 89-C-6045, 719 F. Supp. 725, 12 USPQ2d 1487 (N.D. Ill. 1989). Represented The Coca-Cola Company in an action alleging trademark dilution and related claims based on defendant's marketing and sale of "Magic Powder," a bubble gum product sold in a plastic container resembling a Coca-Cola bottle. The district court granted The Coca-Cola Company's motion for a temporary restraining order, finding that the Coca-Cola bottle design "represents the archetypical distinctive mark." The court found likely injury to The Coca-Cola Company's business reputation, noting that the "Magic Powder" bubble gum consisted of a white powder that looked like cocaine.
- *Schutt Athletic Sales Company and Athletic Helmet, Inc. v. Riddell, Inc.*, No. 89-C-5560 (N.D. Ill. 1989). Represented Schutt Athletic Sales Company, a manufacturer of football helmets, in an antitrust action directed against an agreement between the National Football League and Riddell, Inc., the largest manufacturer of football helmets in the United States. The agreement at issue stated that, in return for providing free helmets, pads and jerseys to each NFL team, Riddell would receive the exclusive right to have its brand name displayed on helmets worn by players during NFL games. While NFL players remained free to

wear helmets made by other companies, the Agreement required that brand names other than Riddell's had to be covered during league play. The Court found that the appearance of a manufacturer's trademark on helmets used during NFL games was not essential to Schutt's ability to compete effectively. Noting that other avenues of advertising were available to Schutt, the Court found no violation of the antitrust laws.

- **Jockey International, Inc. v. Mallory & Church Corp.**, Opposition No. 81,508 (TTAB 1989). Lead counsel for Jockey International, Inc. in a case in which Jockey asserted its prior rights in the mark ELANCE for underwear against applicant's requested registration of the mark ELAAN (stylized) for neckties. Because Jockey's registration covered ELANCE in typed capital letters, the TTAB considered all reasonable manners in which the mark could be depicted, including a script form similar to that used by applicant. Finding confusion between the marks to be likely, the TTAB sustained the opposition.
- **General Mills, Inc. v. Kellogg Company**, No. 87-5190, 824 F. 2d 622, 3 USPQ 2d 1442 (8th Cir. 1987). Represented General Mills in an action in which Kellogg Company sought a preliminary injunction against General Mills' use of the mark OATMEAL RAISIN CRISP for a new breakfast cereal. The U.S. Court of Appeals for the Eighth Circuit affirmed the district court's denial of the preliminary injunction motion, finding that General Mills' use of OATMEAL RAISIN CRISP did not infringe Kellogg's rights in the mark APPLE RAISIN CRISP, also for breakfast cereal. The court noted that the differences in overall packaging precluded any likelihood of confusion: "Acknowledging that there are some similarities between the marks, the district court nevertheless found, after comparing the respective color schemes, lettering styles, and box designs, that the two marks likely are different enough to avoid consumer confusion. In properly focusing on the total effect conveyed by both marks, the district court did not clearly err in finding no confusing similarity between them."
- **Jockey International, Inc. v. Donnie T. Butler**, Opposition No. 70,575 (TTAB 1984). Represented Jockey International, Inc. in an opposition against registration of a "Jockey on Horseback" design mark for clothing products. The TTAB ruled in Jockey's favor based on the confusingly similar commercial impressions projected by the marks, noting that the record "establishes beyond any doubt that the JOCKEY word and design marks are famous trademarks in the field of clothing."
- **Federal Court Cases**
- **V&V Supremo Foods, Inc. v. Olé Mexican Foods, Inc.**, No. 1:19-cv-1904 (N.D. Ga. 2019)
- **Little Caesar Enterprises, Inc. v. Rage Administrative and Marketing Services, Inc.**, No. 6:18-cv-00132 (E.D. Ky. 2018)
- **Marcal Mfg., LLC, d/b/a Soundview Paper Company, LLC v. Essendant Co.**, No. 2:17-cv-02426 (D. NJ. 2017)
- **Georgia-Pacific Consumer Products LP v. Soundview Paper Holdings LLC**, No. 1:15-cv-01182 (N.D. Ga. 2015)
- **Little Caesar Enterprises, Inc. and LC Trademarks, Inc. v. Piara Pizza LLC**, Case No. 2:15-cv-6943 (C.D. Cal. 2015)
- **Little Caesar Enterprises, Inc. and Bravo Food Service, LLC v. Ready To Go Pizza, Inc. and Ward**, No. 1:14-cv-1365 (N.D. Ga. 2014)
- **Flowers Bakeries Brands, LLC v. Earthgrains Baking Companies, Inc. and Bimbo Bakeries USA, Inc.**, No. 7:13-CV-138 (HL) (M.D. Ga. 2013)
- **Virgin Enterprises Ltd. v. Jai Mundi, Inc. d/b/a Virgin Vapor**, No. 1:13-cv-8339 (N.D. IL 2013)
- **Alticor Inc. v. Nutrisystem, Inc. and Nutri/System IPHC, Inc.**, No. 1:12-cv-256-RHB (W.D. Mich. 2012)
- **American Airlines, Inc. v. Alvarez d/b/a American Eagle Taxi Lines**, No. 1:12-cv-3364-TCB (N.D. Ga. 2012)
- **Ecore International, Inc. v. Downey and Pliteq, Inc.**, Civil Action No. 2:12-cv-2729 (E.D. Pa. 2012)
- **Eevzdrop, LLC v. Evzdrop, Inc.**, No. 1:12-cv-8207 (N.D. Ill. 2012)
- **Georgia-Pacific Consumer Products LP v. Kimberly-Clark Corp.**, 647 F.3d 723, 99 USPQ2d 1538 (7th Cir. 2011)
- **Ecore International, Inc. v. Downey, CSR Industries, Inc. and Pliteq, Inc.**, Civil Action No. 11-CV-6843 (E.D. Pa. 2011)

- **Little Caesar Enterprises, Inc. and LC Trademarks, Inc. v. Rooyakker, A&T Holdings, Inc., Rooyakker and A&R Hospitality, LLC**, Case No. 11-13474 (E.D. Mich. 2011).
- **National Spiritual Assembly of the Baha'is of the United States of America Under the Hereditary Guardianship, Inc. v. National Spiritual Assembly of the Baha'is of the United States of America, Inc.**, 628 F.3d 837, 97 USPQ2d 1543 (7th Cir. 2010)
- **Amway Corp. v. The Himalaya Drug Co.**, Civil Action No., 1:09-cv-835 (W.D. Mich. 2009)
- **American Airlines, Inc. v. American Assist Travel Services, Inc. and Gerardo Villafane**, No. 08-23476-CIV-HUCK (S.D. Fla. 2008)
- **Kimberly-Clark Corp. and Kimberly-Clark Worldwide, Inc. v. Medline Industries, Inc.**, Civil Action No. 07 CV 03121 (N.D. Ill. 2007)
- **Wizard Publications, Inc. v. Kimberly-Clark Corp. and Kimberly-Clark Global Sales, Inc.**, Civil Action No. CV-06-11-BU-SEH (D. Mont. 2006)
- **Tyco Healthcare Group LP and Tyco Healthcare Retail Group, Inc. v. Kimberly-Clark Corp., Kimberly-Clark Worldwide, Inc. and Kimberly-Clark Global Sales, Inc.**, Civil Action No. 1:06-cv-11809-JLT (D. Mass. 2006)
- **V&V Supremo Foods, Inc. v. Hawthorn Melody, Inc. and Hawmell, LLC**, Civil Action No. 1:05-cv-01518 (N.D. Ill. 2005)
- **Wisconsin Cheese Group, Inc. v. V&V Supremo Foods, Inc.**, Civil Action No. 07-C-0219-C (W.D. Wisc. 2007), appeal from final TTAB decision, **V&V Supremo Foods, Inc. v. Wisconsin Cheese Group, Inc.**, Cancellation No. 92044301 (TTAB 2005)
- **Crosstex International, Inc. v. Kimberly-Clark Corp.**, 04 CV 5313 (E.D.N.Y. 2004)
- **Roder Zeltsysteme und Service AG v. Roder and Roder Hts Hocker America, LLC**, Civil Action No. 3:04-CV-0193 (S.D. Ind. 2004)
- **Viridian Packaging Solutions, LLC v. Zila, Inc. and Zila Swab Technologies, Inc.**, Civil Action No. 03C-3285 (N.D. Ill. 2003)
- **Cynthia Tripp Kampf and Tripp Design, Ltd. v. FAO Schwarz, Inc., et al.**, No. 03-C-8086 (N.D. Ill. 2003)
- **Proquest Information & Learning Company v. Proquest Limited**, No. 03-CV-71407 (E.D. Mich. 2003)
- **National Association of Realtors v. Gregory Tyll**, No. 1:02-CV-8261 (N.D. Ill. 2002)
- **Sage Products, Inc. v. Kimberly-Clark Corporation**, No. 02-C-126 (N.D. Ill. 2002)
- **V&V Supremo Foods, Inc. v. Castro Cheese Company, Inc.**, No. 02-C-8573 (N.D. Ill. 2002)
- **Zila Swab Technologies, Inc. v. Van Dyke and GMP Products, LLC**, Civil Action No. 01 C 8729 (N.D. Ill. 2001)
- **Kimberly-Clark Corp. v. Allegiance Healthcare Corp.**, Civil Action No. 1:01-CV-3684 (N.D. Ga. 2001)
- **Discover Financial Services, Inc. v. Mary Catherine Taylor**, No. 01-CH-19239 (Cir. Ct. Ill. 2001)
- **Pro-Line International, Inc. v. Kimberly-Clark Corporation**, No. 3:01-CV-0965-G (N.D. Tx. 2001)
- **Lumenos, Inc. v. ESC Medical Systems, Ltd. and ESC Medical Systems, Inc.**, No. 01-10781-REK (Dist. Ma. 2001)
- **Safe-T Products, Inc., Classroom Products, Inc., and Extra Measures, Inc. v. Learning Resources, Inc. and A.Daigger & Co., Inc.**, No. 01-C-9498 (N.D. Ill. 2001)
- **Zila Swab Technologies, Inc. v. Darrell W. Van Dyke and CMP Products, LLC, n/k/a Viridian Packaging Solutions, LLC**, No. 01-C-8729 (N.D. Ill. 2001)
- **Kimberly-Clark Corporation v. American Threshold Industries, Inc.**, No. 1:00-CV-1446 (N.D. Ga. 2000)
- **Amway Corporation v. General Nutrition Companies, Inc.**, No. 1:00-CV-203 (W.D. Mich. 2000)
- **Quixtar Investments, Inc. v. Solitary Enterprises, Inc.**, No. 1:00-CV-200 (W.D. Mich. 2000)
- **Jennifer Berman v. Big Dog USA, Inc.**, No. 00-CV-4303 (N.D. Ill. 2000)
- **Quixtar Investments, Inc. v. Motto Enterprise and Eric Motto**, No. 1:02-CV-54 (W.D. Mich. 2000)
- **RDV Sports, Inc. v. Logo Connections, Inc.**, No. 6:99-CV-1346-Orl-22B (M.D. Fla. 1999)
- **Ty, Inc., v. Treasure Yesterday, Inc.**, No. 4:99-CV-25-DJS (E.D. Mo. 1999)
- **Amway Corporation v. Pharmanex, Inc. and Nu Skin Enterprises, Inc.**, No. 1:99-CV-155 (W.D. Mich. 1999)



- **Signature Financial/Marketing, Inc. v. Jason Wiseman and Holden Corporation d/b/a efox.com**, No. 99-CV-2499 (N.D. Ill. 1999)
- **Sprint Communications Company L.P. and Sprintcom, Inc. v. SBBS Software and Consulting, Inc. and Scott L. Gordon**, No. 99-1022-CV-W-6 (W.D. Mo. 1999)
- **Quixtar Investments, Inc. v. Michael Brown and Xamo Entertainment, Inc.**, No. 1:99-CV-891 (W.D. Mich. 1999)
- **Quixtar Investments, Inc. v. Brent M. Leger a/k/a Brent L., individually and d/b/a B-C Media**, No. 1:99-CV-680 (W.D. Mich. 1999)
- **Quixtar Investments, Inc. v. Brent Reeves**, No. 1:99-CV-677 (W.D. Mich. 1999)
- **Quixtar Investments, Inc. v. Thomas Ford, individually and d/b/a Residualincomes**, No. 1:99-CV-676 (W.D. Mich. 1999)
- **Quixtar Investments, Inc. v. Brian Seifert individually and d/b/a Information Technologies**, No. 1:99-CV-614 (W.D. Mich. 1999)
- **Quixtar, Inc. v. Brian Smith**, No. 1:99-CV-426 (W.D. Mich. 1999)
- **Finazzle Corp. USA v. Kimberly-Clark Corp.**, No. 1:98-CV-3217-ODE (N.D. Ga. 1998)
- **Ty Inc. v. Randy J. Thyberg d/b/a Trading Cards International**, No. CV 98-7001RWSL (C.D. Calif. 1998)
- **Toys “R” Us, Inc. v. Kam Toys & Novelty Manufacturing Ltd.**, No. 98-C-7247 (N.D. Ill. 1998)
- **Fort James Corporation v. Kimberly-Clark Tissue Company**, No. 98-C-7834 (N.D. Ill. 1998)
- **Ty Inc. v. Enor Corporation**, No. 98-C-6314 (N.D. Ill. 1998)
- **Long John Silver’s, Inc. v. Hester Industries, Inc.**, No. 97-409 (E.D. Ky. 1997)
- **Spree.com Corporation v. Sprint Communications Company L.P. and Sprint Communications Corporation**, No. 97-CV-5456 (CW) (E.D. Pa. 1997)
- **Sprint Communications Company L.P. v. Websprint Communications, Inc.**, No. C-97-20699-JW (N.D. Calif. 1997)
- **Emerson Electric Co. v. United Air Lines, Inc.**, No. 4:97-CV-00206-MLM (E.D. Mo. 1997)
- **Amway Corporation v. Euro-Flex, Inc.**, No. 1:97-CV-696 (W.D. Mich. 1997)
- **Signature Financial/Marketing, Inc. v. Shop at Home, Inc.**, No. 97-C-3649 (N.D. Ill. 1997)
- **Lone Star Steakhouse & Saloon, Inc. v. Longhorn Steaks, Inc.**, Nos. 94-8700, 95-8656 and 95-8767, 122 F. 3d 1379, 44 USPQ 2d 1217 (11th Cir. 1997)
- **Sloppy Joe’s International, Inc. v. Kentucky Textiles, Inc.**, No. 96-10043-CIV-KING (S.D. Fla. 1996)
- **Amway Corporation v. Cosmetech International, Inc.**, No. 95-1488 (Fed. Cir. 1996)
- **Lone Star Steakhouse & Saloon, Inc. v. Alpha of Virginia, Inc.**, No. 93-2076, 43 F. 3d 922, 33 USPQ 2d 1481 (4th Cir. 1995)
- **Kraft General Foods, Inc. v. Borden, Inc.**, No. 92-CIV-4593 (RPP) (S.D. N.Y. 1992)
- **Bally Schuhfabriken AG and Bally, Inc. v. Bally Manufacturing Corporation**, No. 92-C-0312 (N.D. Ill. 1992)
- **Kraft General Foods, Inc. v. Borden, Inc.**, No. 91-C-0532 (N.D. Ill. 1991)
- **Basic Books Inc. v. Kinko’s Graphics Corp.**, No. 89 CIV 2807 (CBM), 748 F. Supp.1522, 18 USPQ 2d 1437 (S.D. N.Y. 1991)
- **The Coca-Cola Company v. Jack Piotrowski d/b/a Mr. Neon**, No. 90-C-6752 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Pat McQuire**, No. 90-C-6751 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Custom Time Company**, No. 90-C-6735 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Bob Dittmann**, No. 90-C-6734 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Quinn Enterprises and Ross Quinn**, No. 90-C-6733 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Hofstra, McArthur & Belgrave**, No. 90-C-6732 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Steve Yadon**, No. 90-C-6731 (N.D. Ill. 1990)
- **The Coca-Cola Company v. 1800’s Company and Rod Haynes**, No. 90-C-6730 (N.D. Ill. 1990)

- **The Coca-Cola Company v. Chrome Plating and Craig Bierman**, No. 90-C-6728 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Jim Dougan, R & A Screen Printing, Inc., Ray J. Doneluck and Augustine R. Smarrelli**, No. 90-C-6725 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Bill Pilger and Linda Pilger**, No. 90-C-6724 (N.D. Ill. 1990)
- **The Coca-Cola Company v. Daniel A. Cooney d/b/a Cooney Island Antiques**, No. 90-C-6723 (N.D. Ill. 1990)
- **Vitaline Corporation v. General Mills, Inc.**, No. 89-1397, 891 F. 2d 273, 13 USPQ 2d 1172 (Fed. Cir. 1989)
- **The Coca-Cola Company v. Lakeside Products Company**, No. 89-C-7171 (N.D. Ill. 1989)
- **The Coca-Cola Company v. Alma-Leo U.S.A., Inc.**, No. 89-C-6045, 719 F.Supp. 725, 12 USPQ2d 1487 (N.D. Ill. 1989)
- **Schutt Athletic Sales Company and Athletic Helmet, Inc. v. Riddell, Inc.**, No. 89-C-5560 (N.D. Ill. 1989)
- **General Mills, Inc. v. Kellogg Company**, No. 87-5190, 824 F. 2d 622, 3 USPQ 2d 1442 (8th Cir. 1987)
- **Tree Traven Products, Inc. v. ConAgra, Inc.**, No. 86-156 (CMW), 640 F.Supp. 1263, 231 USPQ 260 (Dist. Del. 1986)
- **Wm. Wrigley Jr. Company v. Storck USA L.P.**, No. 86-C-5264 (N.D. Ill. 1986)
- **A.J. Canfield Company v. Vess Beverages, Inc.**, No. 85-C-4368, 796 F. 2d 903, 230 USPQ 441 (7th Cir. 1986)
- **Lowe's Inc. v. Mid-Florida Mining Company and Eagle Super Saver Store #520**, No. 85-0384 (N.D. Ind. 1985)
- **Pizzazz Pizza and Restaurant and John J. Spiccia and Marie B. Spiccia v. Taco Bell, Inc. and Pepsico, Inc.**, No. C85-2543 (N.D. Ohio 1985)
- **Illinois Tool Works, Inc. v. Fastec Industrial Corporation**, No. 85-C-9083 (N.D. Ill. 1985)
- **Extel Corporation, v. Crown Zellerbach Corporation and Eczel Corporation**, No. 85-C-4467 (N.D. Ill. 1985)
- **Tempco Electric Heater Corporation v. Omega Engineering, Inc.**, No. 85-3068, 819 F. 2d 746, 2 USPQ2d 1930 (7th Cir. 1985)
- **Dana Corporation v. Racal Electronics Public Limited Company and Racal-Dana Instruments, Inc.**, No. 85-C-428 (N.D. Ill. 1985)
- **Midwest Express Airlines, Inc. v. Midway Airlines, Inc. and Midway Express, Inc.**, No. 84-C-8503 (N.D. Ill. 1984)
- **Trademark Trial and Appeal Board (TTAB) Cases**
- **LC Trademarks, Inc. v. Fitza Pizza, LLC**, Opposition No. 91-233,491 (TTAB 2017)
- **Alticor Inc. v. Amron**, Opposition No. 91-230,952 (TTAB 2016)
- **Schermerhorn v. National Association of Realtors**, Cancellation No. 92061031 (TTAB 2015)
- **Alticor Inc. v. Siemens Aktiengesellschaft**, Opposition No. 85-962,940 (TTAB 2013)
- **National Association of Realtors v. Nelis**, Opposition No. 91-209,482 (TTAB 2013)
- **Starbuzz Tobacco, Inc. v. SIS Resources, Ltd.**, Opposition No. 91-213,286 (TTAB 2013)
- **American Airlines, Inc. v. American Road Warriors, LLC**, Opposition No. 91-203,536 (TTAB 2012)
- **Nutri/System IPHC, Inc. v. Alticor Inc.**, Opposition No. 91-205,519 (TTAB 2012) (consolidated proceedings)
- **American Airlines, Inc. v. Kenton County Airport Board**, Opposition No. 91203392 (TTAB 2012)
- **Alticor Inc. v. Fizzy, LLC**, Cancellation No. 92054472 (TTAB 2011)
- **American Airlines, Inc. v. Pioneer Financial Services, Inc.**, Opposition No. 91197160 (TTAB 2010)
- **WageWorks, Inc. v. Take Care Health Systems, LLC**, Opposition No. 91167509 (TTAB 2010)
- **Alticor Inc. v. G&H Nutrition LLC**, Opposition No. 91194688 (TTAB 2010)
- **Kimberly-Clark Corporation v. Georgia-Pacific Consumer Products LP**, Cancellation No. 92051438 (TTAB 2009)
- **American Airlines, Inc. v. Applied Card Systems, Inc.**, Opposition No. 91188811 (TTAB 2009)
- **American Airlines, Inc. v. Consumer Benefit Services, Inc.**, Opposition No. 91188607 (TTAB 2009)
- **American Airlines, Inc. v. Youbet.com, Inc.**, Opposition No. 91187983 (TTAB 2008)
- **National Association of Realtors v. Korpa**, Opposition No. 91187313 (TTAB 2008)
- **Kimberly-Clark Worldwide, Inc. v. Keystone Scent Company, Inc.**, Opposition No. 91184693 (TTAB 2008)



- *American Airlines, Inc. v. Holiday Systems International of Nevada*, Opposition No. 91188056 (TTAB 2008)
- *American Airlines, Inc. v. American Apparel, Inc.*, Opposition No. 91184941 (TTAB 2008)
- *American Airlines, Inc. v. American Apparel, Inc.*, Opposition No. 91184480 (TTAB 2008)
- *American Airlines, Inc. v. FIA Card Services*, Opposition No. 91183943 (TTAB 2008)
- *FCH Enterprises, Inc. v. Douvris*, Cancellation No. 92047334 (TTAB 2007)
- *MHM Resources, Inc. v. Take Care Health Systems, LLC*, Opposition No. 91167509 (TTAB 2005)
- *National Association of Realtors v. The Realteers LLC*, Opposition No. 91183346 (TTAB 2008)
- *American Airlines, Inc. v. Affinion Publishing, Inc.*, Cancellation No. 92047076 (TTAB 2007)
- *American Airlines, Inc. v. Kirkpatrick Bank*, Opposition No. 91177970 (TTAB 2007)
- *Oneworld Alliance LLC v. One World Incentives, Inc.*, Opposition No. 91180901 (TTAB 2007)
- *V&V Supremo Foods, Inc. v. Corporative Brandings and Investments, S.A. de C.V.*, Opposition No. 91176139 (TTAB 2007)
- *FCH Enterprises, Inc. v. Douvris*, Cancellation No. 92047334 (TTAB 2007)
- *Fuel Freedom International, LLC v. Alticor Inc.*, Cancellation No. 92047543 (TTAB 2007)
- *American Airlines, Inc. v. Affinion Publishing, Inc.*, Opposition No. 91170154 (TTAB 2006)
- *American Airlines, Inc. v. DVS Shoe Co., Inc.*, Opposition No. 91170862 (TTAB 2006)
- *American Airlines, Inc. v. Motivation Advantage, Inc.*, Opposition No. 91170098 (TTAB 2006)
- *American Airlines, Inc. v. Motivation Advantage, Inc.*, Cancellation No. 92045355 (TTAB 2006)
- *Reno Air Racing Association, Inc. v. American Airlines, Inc.*, Cancellation No. 92045922 (TTAB 2006)
- *American Airlines, Inc. v. Visual Data Systems, Inc.*, Opposition No. 91171635 (TTAB 2006)
- *V&V Supremo Foods, Inc. v. Wisconsin Cheese Group, Inc.*, Cancellation No. 92044301 (TTAB 2005)
- *V&V Supremo Foods, Inc. v. Fromageries F. Paul-Renard*, Opposition No. 91167084 (TTAB 2005)
- *American Airlines, Inc. v. Affinitas Corp.*, Opposition No. 91165978 (TTAB 2005)
- *American Airlines, Inc. v. American Media Operations, Inc.*, Opposition No. 91167582 (TTAB 2005)
- *Lockheed Martin Corp. v. Raytheon Co.*, Opposition Nos. 91167189 and 91174152 (TTAB 2005) (consolidated)
- *CP Acquisition, LLC v. Madison Restaurant Acquisition Corp.*, Concurrent Use No. 94002130 (TTAB 2005)
- *Jockey International, Inc. v. Sara Lee Corp.*, Opposition No. 91161521 (TTAB 2004)
- *Alticor Inc. v. Body Wise International, Inc.*, Opposition No. 91161155 (TTAB 2004)
- *National Association of Realtors v. Solio*, Opposition No. 118,735 (TTAB 2004)
- *Novartis AG v. Alticor Inc.*, Opposition No. 91157433 (TTAB 2003)
- *Safeskin Corp. v. Quantum Labs, Inc.*, Opposition No. 91151020 (TTAB 2002)
- *National Association of Realtors v. Realtorcountry.com*, Opposition No. 91125020 (TTAB 2001)
- *Ansell Protective Products, Inc. v. Safeskin Corp.*, Opposition No. 91119666 (TTAB 2000)
- *Royal Paper Covering, Inc. v. Kimberly-Clark Corporation*, Cancellation No. 42,514 (TTAB 2003)
- *Safeskin Corporation v. Quantum Labs, Inc.*, Opposition No. 151,020 (TTAB 2002)
- *President and Fellows of Harvard College v. Herstellungs-und Vertriebsgesellschaft, Richter & Hoffmann and Harvard Dental - GmbH*, Opposition No. 150,854 (TTAB 2002)
- *Alticor Inc. v. Ives Health Company*, Opposition No. 154,469 (TTAB 2002)
- *Jacob Zimmerman v. National Association of Realtors*, Cancellation Nos. 32,360 and 40,141 (TTAB 2001)
- *Sprint Communications Company L.P. v. International Telcom Ltd.*, Cancellation No. 31,980 (TTAB 2001)
- *Jay B. Lipe, d/b/a/ Emerge Marketing v. Emerge, Inc.*, Cancellation No. 32,033 (TTAB 2001)
- *Kimberly-Clark Corporation v. Avalanche Publishing, Inc.*, Opposition No. 121,201 (TTAB 2000)
- *Star Alliance v. United Air Lines, Inc.*, Opposition No. 120,963 (TTAB 2000)
- *Sprint Communication Company L.P. v. Mattel, Inc.*, Opposition No. 120,117 (TTAB 2000)
- *Ansell Protective Products, Inc. v. Safeskin Corporation*, Opposition No. 119,666 (TTAB 2000)

- *Sprint Communications Company L.P. v. Atari Games Corporation*, Opposition No. 119,089 (TTAB 2000)
- *Sprint Communications Company L.P. v. The Southern Company*, Opposition No. 117,093 (TTAB 1999)
- *Sprint Communications Company L.P. v. David Lamm*, Opposition No. 116,455 (TTAB 1999)
- *Sprint Communications Company L.P. v. Enron Energy Services, Inc.*, Opposition No. 116,374 (TTAB 1999)
- *Sprint Communications Company L.P. v. David Lamm*, Opposition 116,191 (TTAB 1999)
- *Sprint Communications Company L.P. v. Motive Communications, Inc.*, Opposition No. 116,151 (TTAB 1999)
- *Sprint Communications Company L.P. v. GHR Systems, Inc.*, Opposition No. 115,641 (TTAB 1999)
- *Sprint Communications Company L.P. v. The Southern Company*, Opposition No. 115,377 (TTAB 1999)
- *Sprint Communications Company L.P. v. Kabushiki Kaisha Bandai*, Opposition No. 115,038 (TTAB 1999)
- *Sprint Communications Company L.P. v. GTE Service Corporation*, Opposition No. 115,036 (TTAB 1999)
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