High Tech Tuesday: Recent Developments in Trademark Law

August 25, 2020
Panelists

• Professor Tyler Ochoa, Santa Clara Law
• Jessica McDonald, Schwegman Lundberg & Woessner
• Austin Phillips, Facebook
USPTO v. Booking.com
Romag Fasteners v. Fossil
In re Forney Industries
VIP v. Jack Daniels Properties
AM General v. Activision Blizzard
AM General v. Activision Blizzard
AM General v. Activision Blizzard
In re Stanley Bros. Social Enterprises
AT&T Mobility v. Dormitus Brands

New Cingular Wireless PCS, LLC
AT&T
Lucky Brand v. Marcel Fashions
Lucky Brand v. Marcel Fashions
1986: Marcel registers "Get Lucky" for clothing

1990: First use by "Lucky Brand" for clothing

2001: Marcel sues Lucky Brand [First Action]

2003: Settlement Agreement

2005: Lucky Brand sues Marcel: Marcel counterclaims [Second Action]

2011: Marcel sues Lucky Brand [Third Action]

2009: Marcel prevails on both claims

2015: Second Circuit holds third action is not precluded

2016: Motion to dismiss third action based on 2003 Settlement granted

2018: Second Circuit reverses on grounds of "defense preclusion"