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Connnecting the Legal and the Business World

Lawyer Monthly is an immensely popular global publication delivering legal news, comment and analysis to those at the centre of the legal world. Lawyer Monthly reports on the news and topics that matter to Lawyers, General Councils, Barristers, Attorneys and the entire legal profession including those seeking to connect with it, from law students to businesses worldwide. We're a multi-platform publication, offering global legal coverage and content both online and in a variety of digital formats, distributed to over 250,000 people each month.

Lawyer Monthly is proud to provide a balanced mix of insight and analysis. Our editorial focus tracks legal news from across key practices areas, jurisdictions and sectors. We also publish special features and reports designed to provide a deeper understanding of the recent global trends in law. In addition to our own editorial pieces, Lawyer Monthly's features contains contributions from respected industry leaders, analysts and commentators to help provide quality articles for our readers.

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LAWYER MONTHLY MAGAZINE

TOP TRADEMARK BATTLES

Among some of the biggest awarces and duringlyes durin in a root seem in the root was a second interesting and influential trademark battles that took the spotlight in 2017, Some of these have major implications for brands and influential trademark battles that took the spotlight in 2017, Some of these have major implications for brands and in some cases, global industries, while others are a bit of a tickle for IP lawyers far and wide.

Let's jump straight in with our picks for the top 10 trademark battles that swept 2017.

10 Scing off this for I is In CC certics, which recently decided to be proposed in the composition opportunity of the composition of the composition opportunity of the composition of the composition opportunity of the composition of the composition of the composition opposition of the composition opposition of the composition opposition of the composition opposition of the composition opposition opposition of the composition opposition of the composition opposition of the composition opposition which was put in not fragement appectation by anadog same interreey in November 2014. The application come under the categories of "Decoti: Which coincidentally dos features three stripes Decorative decats for vehicle windows: Magnetic decats: Temporary



Al per mony of these bottles, controlled and different bottles, controlled and different bottles, controlled and different bottles, controlled months and bottles, controlled and bottles, controlled months and bottles, controlled and bottles, cont

pany, wood famous impelie Machilat Bruce Matthers, otherwise known as finiteners, won N2500,000 (2314,000) in October, other the party ran EEA/GUZ, an official worksholder-sports require for its principal logo image. a political campaign ad featuring a soundtrack closely similar to "Lose surself', Eminem's crown jewel.

Judge Helen Cull, who made the ruling, determined that the National Party audipt Heen CLUI, when mode the fland, coletermines that the relations if only would have to provious to Eight Mile Style, Eminent 'music publisher. The President of the party, Pater Goodfellow sold: "We purchased the piece of production music from a reputable Austrian-based music production Brory, who had purchased it from a US supplier." Mr Cull said it was not a here coincidence the composer of Eminem-esque was listening to Lose courself as he composed his song.

LM General LLC Vs Activision Blizzard Inc.

In November, General Motors, the largest longstanding car now being a common term used by all. manufacturer in the world, filed a lawsuit against Activision Bitzzard ic., the guys who make the year after year gaming hit Call of Duty.

the lawsuit accuses Activision of using an image of their HMMWV (High Mobility Multipurpose Wheeled Vehicle) for the last fifteen years without any permissions. The Humvee has been used by the uS military for more than three decades, in more than 50 countries. However, Call of Duty has also featured Humvee's pretty heavily through the years.

AM General is seeking compensatory, punitive and triple damages and

Adidas AG Vs ELEAGUE/Turner



Super Union Holdings Ltd. Vs Amazon.com Inc.

n a releving legal battle against a New Zealand compositing
 n releving legal battle against a New Zealand compositing
 profit, voids famous rapper Manhall Buce Mathers, otherwise known
 profiters were Affirmation resurrants. In Contrada affirms the Manhall Results and Contrada affirms an

As per many of these battles, confusion and dilution of brand is the main As per many or more barries, company and awards of bruing a fer many grounds for opposition, but some of the main points Addess has put forward is the bruind's use of the "three stripes" on electronic sports and video gaming, form sporsors, to the clothing on characters in the games, 6-3% belief. So it's kind of understandable.

Google LLC Vs Chris Gillespie

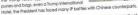
5 in 5th position is Google's trademark case against an individual named Chris Gillespie, who has for years been tying to challenge the internet glant's trademark to the word 'google' on the grounds of it

Similar cases happened in the past, with hoover, thermos and aspi arrison cases happened in the past, with hoover, thermos and asserting, so, what does Google do now? The current legal battle has seen the US Supreme Court decline to review a pellition against the todemarked word. The justices were told: "There is no single word other than google that conveys the order." conveys the action of searching the internet using any search engine.

The whole ordeal originated when Chris Gillespie, years back, registers This whore ordeol originated when Chris Gillespie, years back, regulated 763 domain names with the term "Google". Consequently, Google LIC Intervened and he had to give them up., Since then Gillespie has been alternative. attempting to invalidate the official trademark for 'Google'.

Ponald Trump Vs China

Since becoming US President, Donald Tump has faced three-fold forms and along with that, people trying to rip him off: namely, Chinese companies, in a number of cases this year, from the frump Condom to the Tump Totald, apps with Tump's brand, purses and bags, even sense from the Tump.



According to reports, Trump has 49 trademark applications currently at According to reports. Turn to set 4th colements appolications currently of states, and of which like of shirps the smidefulled campdigin, and 71 maris aroundy in calcino and all he would. In the most recent case against fluving foliable. Charless and graded him a victory, but the replications could be hardly and the control of the colement of the control of the colement of the co

In Mexico however, Trump Toilet Paper stands strong as a co in Mexico however, murip truet rough stands stand on a colorable lower seized the moment and introduced a trump based product, with added building-awail based kony in its marketing, under a trademark nice trump's brand failed to cover, hygienic products....

Lexmark International Inc. Vs Impression Products Inc.

Impression Products, a family-owned West Virginia printer and cortridge company, rules surrounding the first sale doctrine changed.

The Supreme Court decided that after the sale of a patented item, the the supreme court declare that ones the sale of a potential tien, the potent holder cannot sue for patient intringement relating to further use of that item, even when in violation of a contract with a customer or imported from outside the US.

Impression Products has been buying used Lexmark cartridges, filing them, impression indouds not been owing used usinned courlages, sing methi, replacing a microchip on the cartificige ands reselling them. This of course resulted in a lawful to infringening of several potents related to the link cartificiges. This decision can now affect many manufactured products, from high tech consumer goods to prescription drugs.

TC Heartland LLC Vs Kraft Foods Group Brands LLC

2 This year Krolf Foods sued TC Heartfond in the District of Delaware, of leging that three of its potents were intringed, TC Heartfond does business in indiana, and has no relevance in terms of business or other to Delaware the more than the delaware than the contract that of the contract that of the contract the contract that of the c Delaware. However, the products that allegedly infringed patents were shipped into Delaware.

TC Heartland then moved to transfer versue to the apparent or souther or patient versue stabile states that versue is appropriate either: (1) "in the judicial district where the defendant resides," or (2) "where the defendant has committed acts of intringement and has a regular and established place of business."

TC Heartland cited a previous case, Fourco, to justify that it did not meet TC Heartland cited a previous case, fource, to justiny man is an and meet either of the above. The federal Circuit rejected the move to transfer venue, but later the Supreme Court agreed and the meaning of certain provisions, namely 38 U.S.C. § 160(b); "a domestic corporate defendant may only be sued in its state of incorporation or in a state in which it has the state of the state of the composition of the state in which it has the state of the state of the composition of the state of th immitted acts of infringement and has a regular and established place

Top 10 Trademark Battles 2017

Apple Inc. Vs Emonster KK, Samsung Electronics Co. & Nokia Corporation

pple have been through a lot in recent year, and 2017 was a goo Apple have been through to lid in scent year, and 2017-was a good to lead to the been through to lid in scent year, and 2017-was a good the left of the above related to Apple Inc. 'y Enrosites IX. C Indomosition and the scent of Arming limit on the monitoded entitle featured on the new Phonik I. Lypon-based featured have been a set of the scent of the sc emojs with the users face.

Emonster consequently filed a suit against Apple in October stating that emoniter consequently seed a set against Appe in october stating and "Apple made the conscious decision to by to pitter the name ('Animoy') for itself." Apple mande to buy the trademark and was refused, but carried on using the name Animoji. Emonster is now seeking damages and wants to Apple to stop using the trademarked name. More to come on this one.

The second case is huge: Apple Inc. Vs Samsung Electronics Co. Curren on remand from the Supreme Court, this covers an Apple design patent that Samsung allegedly stole. So it's not strictly trademark, but patents are still very much a huge part of a company's IP.

Beginning in 2011, Apple sued Samsung for the infringem Beginning in 2011, Apple sued samsung for the immegement or us propert No. Dolfs.677 (cilorining an electronic device having block rectangular tont face with rounded corrent, Dolfs.938/87 (cilorining an electronic device having a rectangular front face with rounded corners and a rolled rining and DQA_355 (cilorining a glid of 16 colourful corn on a block screen of an and D&D4.305 (claiming a grid of 16 colourful rons on a block screen of a, electronic device). A jury then awarded \$399 million in damages to Apple which amounted to the whole sum of Samsung's profits on the phones? sold infringing these patents.

several years rarer, and now in question, Samsung is appealing the federal Circuit decision, claiming that the 'article of manufacture' by which the postant inforgenment inchusive the patent infringement includes several components, only part of



several components, only part of which lettings on the potents. On remand, the Federal Croull will have to decide whether "the relevan eride of manufacture for each design potent... is the smartphone or a particular smartphone component." This could have huge implications to particular singing from component. Into could nave mage intraccional to thousands of tech consumer goods worldwide, most of which would be considered a build of components, each part of which would be up for which would be up for the considered of the consumer singing the consumer debate when it comes to patent intringement cases

Lastly, we have Apple Inc. Vs Nokia Corporation. In May this year, another Lasty, we have Apple Inc. vs. Nobia Corporation. In May this year, another, patient case come about surrounding Apple is used Nobia technologies within its martiphones, tableit and other products. Apple decided it would not large for the use of Nobia's technology patients, staling that many of them are already built and satabilished into Apple's suite of products, in consists of the part states of the patients of the patients of the patients. accused Finland-based Nokia of extortion on the use of its patents.

Nokia then moved to file 11 lawsuits across Europe and the US. The cases were then settled between the parties with a new agreement that Apple would pay royalties to Nokia as of 2Q17, and with further agreements announced it would be stocking Nakia's digital health products in its

this case is an important one for 2017, as its shows Nobia, once the biggest manufacturer of phones in the world, reliving to give up its casets to Apple, now one of the big five and a company that outmuscled Nobia many years back. The technologies, potents and similar is casets Nobia owns now continue to be the grand doe of Nobia's annual turnover,

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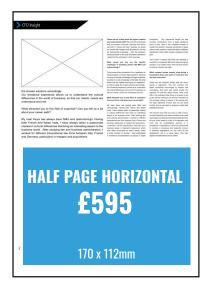
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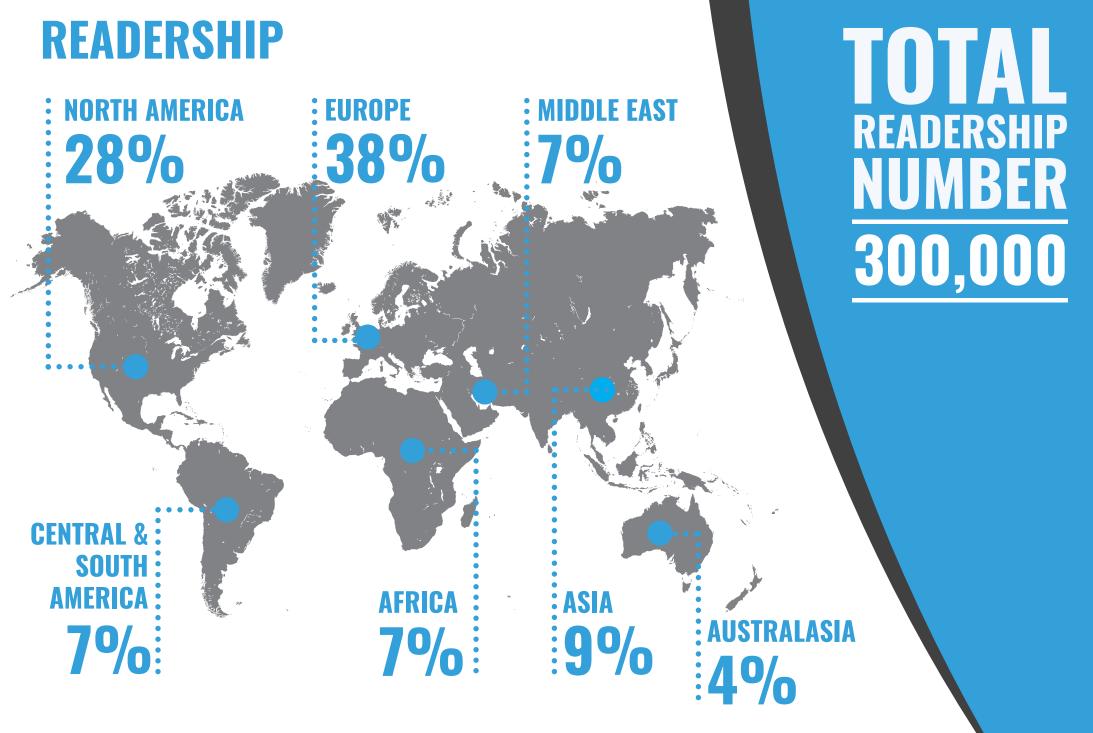






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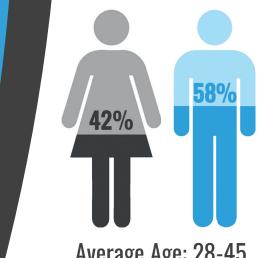


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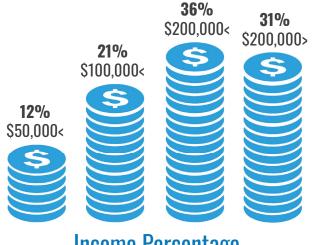
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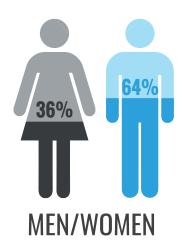


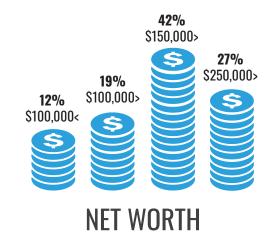


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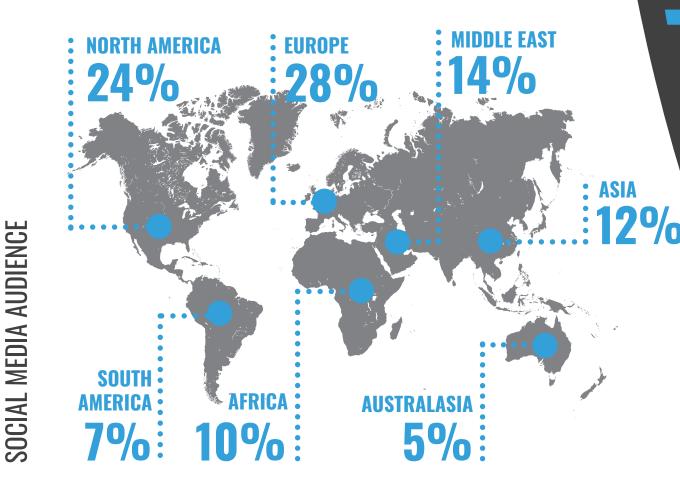




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Each month we invite our readers to participate in content that is read by hundreds of thousands of likeminded legal professionals worldwide. We have a selection of articles and topics that we'd love to hear from you, the experts, about. You can pick a topic that you feel best represents you and your field of expertise within law and write your feature based on our suggestions.

Our Editorial team will be on hand to provide assistance and guidance should you wish. I look forward to hearing from you.

Kind regards

Jaya Harrar

Editor editor@lawyer-monthly.com



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Our Lawyer Monthly awards include the celebrated Legal Awards, Women in Law, Expert Witness awards and the all new Lawyer Monthly 100, which celebrate the most successful, innovative and forward-thinking Lawyers across the world.



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I came back to the magazine to accept your company's acknowledgement of my forensic chemical expertise. As I summarized my credentials you were incredibly easy to work with. Beyond easy lies your patience and kindness as I kept on providing you with yet another "final" written description.

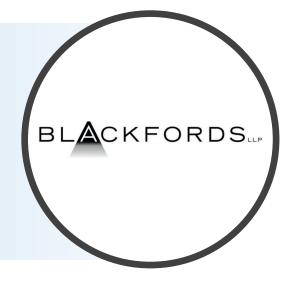
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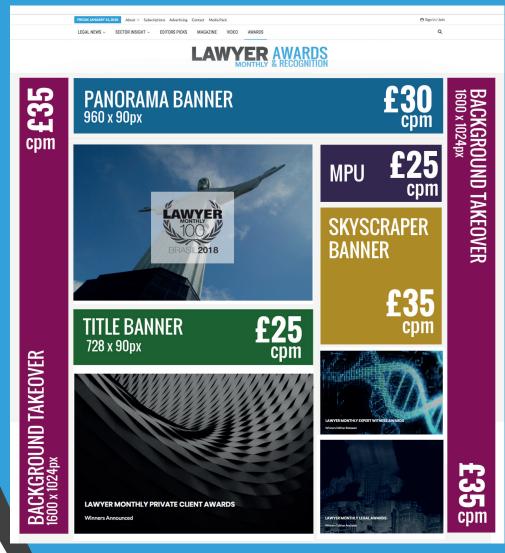
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