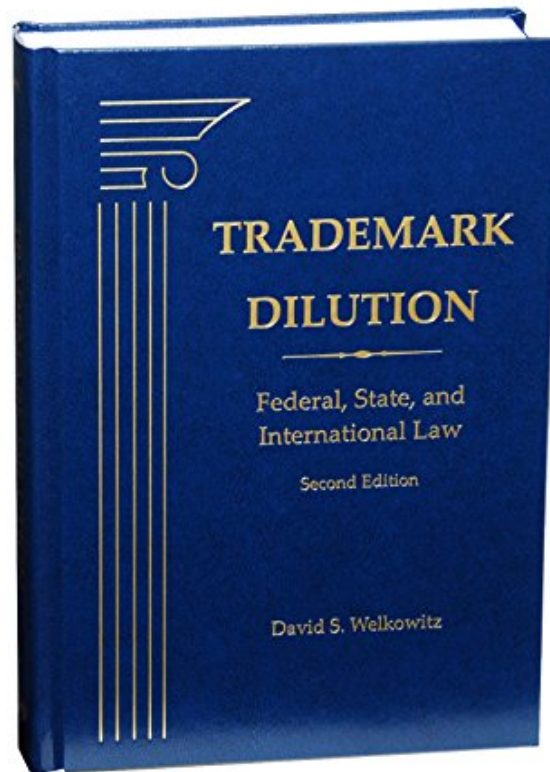


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Trademark Dilution: Federal, State, and International Law, Second Edition

David S. Welkowitz

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David S. Welkowitz : Trademark Dilution: Federal, State, and International Law, Second Edition before purchasing it in order to gage whether or not it would be worth my time, and all praised Trademark Dilution: Federal, State, and International Law, Second Edition:

Trademark Dilution: Federal, State, and International Law, Second Edition helps sort through the controversy and confusion surrounding the Trademark Dilution Revision Act (TDRA) of 2006, the ways in which the Act makes clear that the likelihood of dilution is the standard for analyzing federal dilution claims, and the complications that may arise under state law. The Second Edition has been revamped and decentralized, resulting in several newly separated chapters to make it easier to find relevant features. It has eight chapters on federal dilution law, covering all topics and featuring discussions and citations of a larger number of cases than ever before. A revised state dilution law section

with new chapters devoted to defenses and remedies is included, as well as updated coverage of newly adopted state laws-particularly those influenced by the most recent Model State Trademark Bill. The international chapter has been revised to include coverage of many more countries, while retaining the comprehensive coverage of the European Union, Canada, and Japan. This treatise also updates developments in state dilution laws where several states have adopted the new (2007) version of the Model State Trademark Bill. The Second Edition analyzes several major new cases, including: *Rosetta Stone v. Google*, where the Fourth Circuit distinguished its well known case of *Louis Vuitton v. Haute Diggity Dog* by reversing the grant of summary judgment to defendant on the issues of trademark use, fair use, and likelihood of dilution *Starbucks v. Wolfe s Borough Coffee*, where the district court rejected a federal dilution claim after remand, despite evidence of mental association *Research in Motion Ltd. v. Defining Presence Marketing Group, Inc.*; *Nike, Inc. v. Maher*; and *Rolex Watch U. S. A. Inc. v. AFP Imaging Corp.*, sparking discussions of the need for a famous mark and applications of the TDRA factors for dilution by blurring. The first two cases upheld oppositions based on dilution, while the third case rejected a dilution claim. *Trademark Dilution: Federal, State, and International Law, Second Edition* analyzes the Dilution in the Trademark Trial Appeal Board (TTAB), providing discussions of non-precedential cases which are useful insights into the TTAB s thought process, even if they cannot be cited as precedent. It also discusses continuing development and use of the multifactor test for dilution and analyzes lower court applications of the TDRA. Knowing how courts are using this test is critical to advising on the likely outcome of cases.