

Defense of Featherlite, Inc. against trademark infringement

Company Background

Featherlite Inc. is a North American leader in designing, manufacturing and marketing high quality aluminum ATV trailers, car haulers, car trailers, specialized transporters and custom mobile marketing trailers. Featherlite has hundreds of models, including standard and custom bumper pull, gooseneck and living quarters trailers – all available through the largest dealer network in the industry. Featherlite trailers are available at 230 dealers in the U.S., Canada, Australia and Europe.

Challenge

One of Featherlite's popular livestock trailer lines, called SuperStock™, was not protected as a registered trademark. A competitor adopted the SuperStock name for its own livestock trailer, creating confusion in the marketplace and diluting the Featherlite brand's value.

Although the Featherlite brand was not protected as a registered trademark, Featherlite believed this was a clear case of trademark infringement given that the company had been using the name for nearly two years. The company retained Merchant & Gould to fight for its brand.

Solution

After a through examination of Featherlite's market position and brand viability, Merchant & Gould initiated aggressive enforcement by filing for a registered trademark on behalf of the Superstock brand (which was subsequently granted) while simultaneously sending a cease-and-desist letter to the defendant. When the defendant refused to comply, Merchant & Gould immediately filed a complaint and a motion for preliminary injunction to enjoin the defendant against further damage to Featherlite.

Merchant & Gould's work resulted in a complete win for the client. The defendant discontinued using the mark on all of its products. They also paid all of Featherlite's legal fees. The entire process took less than five weeks, as the defendant relented prior to a judge's decision.

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