

Go Directly To The Source – Merchant & Gould Swiftly Resolves Multiple Trademark Infringements For VOSS® Water

Company Background

Founded by Norwegians Ole Christian Sandberg and Christopher Harlem, VOSS of Norway ASA is a leading producer of premium drinking water from Norway, known throughout the world as one of the purest waters on the market. VOSS premium drinking water is marketed globally with a significant portion of its sales originating in the United States and Europe.

VOSS has been a client of Merchant & Gould for seven years. The firm is tasked with managing its brand development and protection, clearance of new brands and designs, and global enforcement primarily related to third-party infringements of the famous Voss trade dress and bottle design.

Challenge

VOSS is distinctive not only by its approach to delivering purified water but also by its famous and award winning cylindrical bottle design. Given the design's popularity within the marketplace, the company was made aware that several well-known consumer brands were offering their own customers free bottled water displaying their corporate name and logos on water bottles that mirrored VOSS' well-know and federally protected bottle design and trademark.

Solution

After a thorough examination of each particular infringement, Merchant & Gould determined that instead of initiating litigation and enforcement campaigns against the numerous brand holders that offered the water as free giveaways, it would reach out to each brand holder and find out where they purchased the offending bottles. Ultimately, the firm commenced an enforcement campaign against the one entity that manufactured and sold the offending water bottles to each of the consumer brand entities. Merchant and Gould's strategy to go directly to the source resulted in a complete win for the client. The bottle manufacturer agreed to cease production of the infringing bottles that allowed VOSS to avoid initiation of multiple proceedings against numerous parties.

By carefully analyzing the source of the infringing product, rather than individually filing suits against each end user (retailers), Merchant & Gould's creative strategy enabled VOSS a quick and cost-effective resolution.

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