

Environmentalism Giant v. Environmentalism Queen

Published by *The Katten Kattwalk* | Issue 31

Summer 2026

Thanks to Patagonia's viral lawsuit against environmentalism queen Pattie Gonia,¹ millions of people are finally interested in the complexities of trademark law. We wanted to take this opportunity to answer some burning questions in the social media comments: (1) "Why not Jan Sport, Trixie Mattel, or Brita Filter?"; (2) "Is this 'a corporation trying to erase an activist'?"; and (3) "Could Pattie be liable for more than the \$1 in nominal damages that Patagonia seeks?"

Many drag queens use double entendres as their stage name for comedic effect, and it is not unusual for a queen to borrow a trademarked term to convey some element of their onstage personality.² Pattie Gonia fits right into the world of drag superstars such as Jan Sport, Trixie Mattel, and Brita Filter. What sets Pattie apart from them, however, is that, unlike her peers, Pattie is attempting to capitalize on her punny name in the same way the eponymous company has capitalized on its name. As alleged in Patagonia's complaint, Pattie has applied to register the mark "Pattie Gonia" to sell clothing and accessories similar to Patagonia merchandise, including a logo that looks an awful lot like Patagonia's logo, and with a mission to fund climate change activism, exactly like the mission fueling Patagonia's "enormous goodwill."³

This commercialization of her name exposes Pattie Gonia to liability under the Lanham Act that Jan Sport, Trixie Mattel, and Brita Filter have managed to avoid, likely by *not* trying to sell backpacks, dolls, or water filters that capitalize on their respective namesake's reputation. After all, the "Lanham Act, expressly enacted to be applied in commercial contexts, does not prohibit all unauthorized uses of a trademark,"⁴ and "only unauthorized uses of a trademark in connection with a commercial transaction in which the trademark is being used to confuse potential consumers" violate the Act.⁵

And while this lawsuit may seem, to some people, like the epitome of "a corporation trying to erase an activist," as Pattie puts it,⁶ Patagonia's "failure to enforce [its trademark] rights may result in the weakening of these rights over time."⁷ The risk to Patagonia is especially great if, as Patagonia alleges, Patagonia and Pattie Gonia are "in competitive proximity," and members of "the public

[already] mistakenly assume there is an association between [Patagonia and Pattie Gonia's] related goods even though no such association exists."⁸

That said, in the trademark context, a lawsuit seeking \$1 in nominal damages could in fact litigate an activist into oblivion because "when a trademark is infringed, trademark owners have more at stake than just the damages or loss of profits in that case."⁹ If, as alleged here, there is "ample evidence of actual confusion" and Pattie Gonia "reneged on its agreement to stop using [Patagonia's] mark" long before the latter brought this lawsuit, Pattie Gonia may be liable for the attorneys' fees and costs that Patagonia incurred in enforcing its trademark, which could be tens of thousands of dollars.¹⁰

The battle between the environmentalist giant and the environmentalist queen may be resolved off the public record, as the US District Court for the Central District of California ordered the parties to private mediation.¹¹ Since the court may never address the questions posed by millions of social media spectators interested in the matter, we hope that this overview provides useful context for evaluating the claims and defenses beyond the headlines.

¹ *Patagonia, Inc. v. Entrepreneur Enters., Inc. et al.*, Case No. 2:26-cv-00586-RGK-RAO (C.D. Cal.).

² Sam Corbin, *How Wordplay Helps Drag Climb to Peak Camp*, THE NEW YORK TIMES (June 24, 2026), <https://www.nytimes.com/2026/06/24/crosswords/drag-performance-wordplay-camp.html>.

³ *Supra* note 1, ECF No. 1, ¶ 21.

⁴ *Bosley Med. Inst., Inc. v. Kremer*, 403 F. 3d 672, 679 (9th Cir. 2005).

⁵ *Id.* at 676.

⁶ @pattiegonia, TIKTOK (May 27, 2026).

⁷ *Partners for Health & Home, L.P. v. Seung Wee Yang*, 488 B.R. 431, 438 (C.D. Cal. 2012), *aff'd*, 671 F. App'x 475 (9th Cir. 2016).

⁸ *Rebelution, LLC v. Perez*, 732 F. Supp. 2d 883, 893 (C.D. Cal. 2010); see also *supra* note 1, ECF No. 1, pg. 5.

⁹ *Partners*, 488 B.R. at 438.

¹⁰ *Earthquake Sound Corp. v. Bumper Indus.*, 352 F. 3d 1210, 1218 (9th Cir. 2003); *supra* note 1, ECF No. 1, ¶ 25–26.

¹¹ *Supra* note 1, ECF No. 29.

CONTACTS

For more information, contact your Katten attorney or any of the following attorneys.



Asena Baran

+1.310.788.4418

asena.baran@katten.com



David Halberstadter

+1.310.788.4408

david.halberstadter@katten.com

Attorney advertising. Published as a source of information only. The material contained herein is not to be construed as legal advice or opinion.

©2026 Katten Muchin Rosenman LLP.

All rights reserved. Katten refers to Katten Muchin Rosenman LLP and the affiliated partnership as explained at katten.com/disclaimer.