

### Katten Successfully Represents Pepsi, Gatorade in Trademark Row

June 14, 2018

Katten Intellectual Property partner Floyd Mandell and associate Julia Mazur successfully represented PepsiCo Inc. in a significant win regarding a trademark suit brought by a sports nutrition consulting firm, regarding The Gatorade Company Inc.'s slogan "Gatorade The Sports Fuel Company."

The judge found that Gatorade was not using the slogan as a trademark, as the company's house mark and its G-bolt mark appear more prominently than the phrase. He also noted that the words "sports fuel" are descriptive, and that the consulting firm failed to offer evidence that would support reasonable inference that Gatorade acted in bad faith. Katie Montiel Vidaillet, director of Public Relations and Communications at The Gatorade Company stated, "We are pleased with the outcome of the case and look forward to continuing our mission to fuel athletic performance."

Read "[Pepsi, Gatorade Slogan Deemed Fair Use in Trademark Row](#)," Law360, in its entirety.

"[Gatorade Remains The Sports Fuel Company After A Trademark Win On Fair Use Grounds](#)" *Forbes*, June 15, 2018

"[Sportfuel trademark infringement suit dismissed after Gatorade's slogan 'Sports Fuel' deemed fair use](#)" *Daily Reporting Suite*, June 15, 2018

"[Gatorade Prevails in Trademark Lawsuit Over 'Sports Fuel' Name](#)" *Chicago Tribune*, June 18, 2018

"[Judge quenches suit over Gatorade's use of phrase 'sports fuel'](#)" *Chicago Daily Law Bulletin*, June 18, 2018

"[PepsiCo wins trademark tussle over ads calling Gatorade 'sports fuel'](#)" *Cook County Record*, June 19, 2018

"[Gatorade Launches New 'Zero' Drink With No Sugar Or Carbohydrates](#)" *International Business Times*, June 20, 2018

## CONTACTS

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



**Floyd A. Mandell**

+1.312.902.5235

[floyd.mandell@katten.com](mailto:floyd.mandell@katten.com)



**Julia L. Mazur**

+1.312.902.5280

[julia.mazur@katten.com](mailto:julia.mazur@katten.com)

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