

Katten Helps to Defend Steve Madden Against Doc Martens Complaint in Trade Dress Lawsuit in Oregon Federal Court

November 10, 2023

As featured in *Law360* and with support from our Intellectual Property team, Katten's client Steve Madden filed an Answer, Affirmative Defenses, and Counterclaims to a Complaint filed by plaintiffs AirWair International Ltd. and Dr. Martens in a trade dress lawsuit regarding each footwear brand's combat-style boot designs. Represented by partner Floyd Mandell, Co-chair of the Trademark/Copyright/Privacy group, and associates Julia Mazur and Matthew Hartzler, Steve Madden pushed back at the lawsuit on November 6, asking an Oregon federal court to cancel several trademarks that Dr. Martens has on combat boots.

As reported by *Law360*, our client claimed that Dr. Martens launched the case "as part of its industry-wide campaign to bully competition into ceding market share and unlawfully monopolize the combat-boot market." Meanwhile, the plaintiffs argued that it has been marketing its "distinctive boot trade dress design" for decades and that Steve Madden has been infringing on its design for years.

Court records state that Steve Madden also asked the Trademark Trial and Appeal Board to throw out two trademark registrations that Dr. Martens has on its boots, the same two registrations at issue in the current action.

"Steve Madden Hits Back At Dr. Martens TM Suit," **Law360*, November 7, 2023

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