

Katten Obtains Favorable Ruling for Slide Mountain in Loehmann's Domain Name Dispute

May 29, 2014

Katten obtained a favorable ruling for Slide Mountain Acquisition Company LLC in a domain name dispute. Slide Mountain, along with its predecessors-in-interest, Loehmann's Holdings, Inc., Loehmann's Operating Co. and Loehmann's Inc., have been advertising, promoting and providing retail store services in branded retail stores and online under the trademark LOEHMANN'S for decades, lending the mark a distinctiveness and secondary meaning. A cybersquatter improperly registered the domain name "loehmanns.clothing," raising issues of confusion under the United States Lanham Act, among others. Following the procedures established under the Uniform Domain Name Dispute Resolution Policy, Slide Mountain filed a complaint with the World Intellectual Property Organization (WIPO) Arbitration and Mediation Center. The WIPO Panel ruled in favor of Slide Mountain, finding the disputed domain name was confusingly similar to the registered trademark LOEHMANN'S, that the competitor had no rights or legitimate interests in the domain name and that the domain name was registered and being used in bad faith. The "loehmanns.clothing" domain will be transferred to Slide Mountain. Intellectual Property attorneys Jessica Garrett, Bret Danow, Jennifer Carmen and Brian Winterfeldt represented Slide Mountain in this matter.

CONTACTS

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