

Katten Obtains Permanent Injunction for Aéropostale in Settlement of Trademark Infringement Lawsuit

July 25, 2014

A team consisting of Floyd Mandell and Karen Ash—national co-heads of Katten's Intellectual Property practice and co-heads of the Trademarks and Trademark Litigation practice—and associates Jeffrey Wakolbinger, Jennifer Carmen and Jessica Garrett, obtained a settlement on behalf of client Aéropostale, Inc. in its lawsuit filed in the US District Court for the Southern District of New York against H&M Hennes & Mauritz AB (H&M). News of the settlement was reported in Law360. Aéropostale had filed claims of trademark infringement, false designation of origin, dilution and counterfeiting under the Lanham Act, and state law causes of action, contending that H&M sold items that infringed on Aéropostale's trademarked phrase "Live Love Dream," and its "Aéropostale" and "87" trademarks. Under the terms of the settlement, H&M is permanently enjoined from manufacturing, importing or exporting any clothing, fashion accessories or related goods that incorporate any of the subject trademarks, and from distributing, licensing or in any way promoting merchandise that contains Aéropostale trademarks in any US retail store or through any website owned or controlled by H&M that is targeted toward US consumers. ("[H&M, Aeropostale Settle Suit Over 'Live Love Dream' Mark](#)," July 25, 2014)

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