

Katten Earns Summary Judgment for Microsoft in Kinect Trademark Litigation

January 26, 2012

A federal judge in Pennsylvania has decided in favor of Katten client Microsoft Corporation in a trademark dispute with software company Kinbook, LLC. Kinbook sued Microsoft in September 2010 alleging that Microsoft's use of the word "kin" in its Kinect for XBox 360 device and Kin smartphone was infringing Kinbook's KINBOX trademark. Kinbook sought an injunction and millions of dollars in damages. U.S. District Judge Gene E.K. Pratter agreed with Microsoft's argument that the marks were visually and phonetically different and would not confuse consumers, and granted Microsoft's motion for summary judgment. Judge Pratter indicated that Microsoft's counsel demonstrated "laudable acuity and acumen." (Opinion/footnote 10, page 10) Microsoft is represented by Katten attorneys Floyd A. Mandell, Cathay Y.N. Smith and Christine E. Bestor. Click [here](#) to read *Law360's* coverage of the case.

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