

For Immediate Release

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Universal Wins Movie Parody Trademark Case

Judge calls FUBU's lawsuit against Universal over BUFU, simply "UFUB"

NEW YORK – A New York judge has dismissed a lawsuit by clothing maker FUBU (“For Us, By Us”) Records LLC against Universal Studios and Universal Music for the use of the parody BUFU (“By Us, F-U”) in the 2001 satirical movie “How High.” FUBU filed suit in 2002 claiming trademark infringement and dilution, false advertising, false designation of origin, unfair competition, defamation, breach of contract, and breach of fiduciary duty. They sought \$100 million in compensatory damages and hundreds of millions in punitive damages and other relief.

In a May 18 ruling granting Universal’s motion for summary judgment to dismiss the case, Senior Judge Richard Owen of the U.S. District Court for the Southern District of New York, in his own words, called FUBU’s suit “UFUB” (Utterly Frivolous Under Biopsy). Judge Owen also wrote that “[t]here being no likelihood of confusion, and no tarnishing or dilution of the FUBU mark, there is no genuine issue of material fact with respect to any of the plaintiffs’ claims.”

[Floyd A. Mandell](#) and [Kristin J. Achterhof](#), partners at Katten Muchin Rosenman LLP in Chicago, were the lead lawyers for Universal Studios and Universal Music.

“We’re very pleased by this result for our two clients, Universal Studios and Universal Music, and that Judge Owen understood the frivolous nature of this lawsuit and ruled in our favor,” said Mandell. “This was an important case for free speech - and the right of all artists - to use satire and parody.”

The case is GTFM, LLC, FUBU Records LLC, and GTFM Inc. v. Universal Studios, Inc. and Universal Music Group, Inc. Case#: 02 CIVIL 0506 (RO). A copy of Judge Owen’s ruling is available.

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