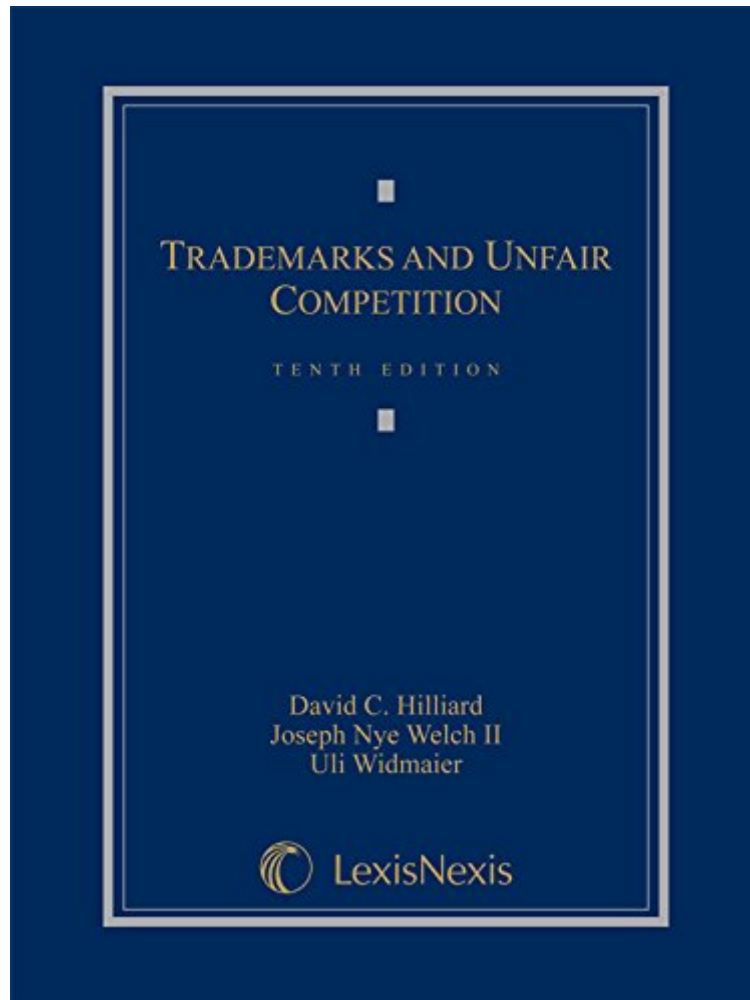


The book was found

Trademarks And Unfair Competition



Synopsis

This widely used casebook, cited by the Supreme Court in its *Moseley v. V Secret Catalogue* decision on trademark dilution, is authored by three of the nation's preeminent trademark practitioners and teachers. Constitutional issues--pertaining to the Commerce Clause, the Patent and Copyright Clause, the Supremacy Clause, and the First Amendment--are reshaping modern trademark law, have been outcome-determinative in many high-profile cases, and are fueling extremely influential debates in academic literature. Thus, *Trademarks and Unfair Competition* has a newly enhanced focus on examining trademark law's place in the constitutional scheme. An entirely new chapter is devoted to the question of trademark law's interaction with the First Amendment. Throughout the casebook, great attention is paid to the constitutional and practical relationship of trademark law with other areas of intellectual property law. The casebook provides an in-depth presentation and analysis of the principal questions and problems in trademark law today, and a synthesis of the current and developing law. The organization provides students with a foundation in the historical and normative principles that have been governed and continue to govern trademark law's evolution, before progressively exposing them to more sophisticated and specific problems. Each section begins with an introductory overview followed by tightly edited cases and a summary of the issues, with analysis through notes and other secondary textual materials. Features of this new edition include:

- A new chapter on Freedom of Speech and the Law of Trademarks and Unfair Competition;
- The sea change in federal dilution law caused by the Trademark Dilution Reversion Act of 2006 and the cases interpreting it;
- An in-depth analysis of the new and controversial issues centered on search engines, sponsored advertising, keywords, trademark use and initial interest confusion, and the trademark and constitutional principles that underpin this contentious debate in the courts and among scholars;
- The continuing evolution of the law of fair use and nominative fair use after the Supreme Court's decision in *KP Permanent Make-Up v. Lasting Impression I*, and the normative impact of free speech considerations; and
- The interaction of trade dress, design patent, copyright, and their respective constitutional foundations, as discussed in the Supreme Court's *Twentieth Century Fox v. Dastar* and *Samara v. Wal-Mart* and *TrafFix Devices v. Marketing Displays* decisions and by the lower courts in their aftermath. The Documentary Supplement for Trademarks and Unfair Competition contains the following updated material:

- Rules of Practice of the U.S. Patent and Trademark Office;
- ICANN Uniform Domain Name Dispute Resolution Policy;
- NAD / CARU / NARB Procedures;
- Sample (Illinois) Right of Publicity Statute;
- Trademark Law Treaty and Regulations;
- Protocol Relating to the Madrid Agreement;
- Paris Convention

for the Protection of Industrial Property; and the Agreement on Trade-Related Aspects of Intellectual Property.

Book Information

File Size: 5791 KB

Print Length: 1200 pages

Publisher: LexisNexis; 10 edition (July 16, 2014)

Publication Date: July 16, 2014

Language: English

ASIN: B00LX815OS

Text-to-Speech: Enabled

X-Ray: Not Enabled

Word Wise: Enabled

Lending: Not Enabled

Enhanced Typesetting: Enabled

Best Sellers Rank: #1,204,910 Paid in Kindle Store (See Top 100 Paid in Kindle Store) #74

in Books > Law > Intellectual Property > Patent, Trademark & Copyright > Trademark #156

in Kindle Store > Kindle eBooks > Law > Intellectual Property > Patent, Trademark & Copyright
#469792 in Books > Reference

[Download to continue reading...](#)

Trademarks and Unfair Competition; Law and Policy, Fourth Edition (Aspen Casebooks)

Trademarks and Unfair Competition: Law and Policy, Third Edition Trademarks & Unfair

Competition: Law and Policy 2012-2013 Case and Statutory Supplement Trademarks, Unfair

Competition, and Business Torts (Aspen Casebook Series) Trademarks, Unfair Competition, and

Business Torts Trademarks and Unfair Competition Trademarks, Unfair Competition, and Business

Torts in the Digital Age (Aspen Casebooks) Essentials of Trademarks and Unfair Competition

(Essentials Series) Trademark and Unfair Competition Law: Cases and Materials Selected

Intellectual Property and Unfair Competition Statutes, Regulations, and Treaties (Selected Statutes)

Trademark and Unfair Competition in a Nutshell Copyright, Unfair Competition, and Related Topics

(University Casebook Series) Competition Law, Innovation and Antitrust: An Analysis of Tying and

Technological Integration (New Horizons in Competition Law and Economics) Day-to-Day

Competition Law: A Practical Guide for Businesses (Competition Law/Droit de la concurrence)

Competition Law in times of Economic Crisis : in Need of Adjustment ? : GCLC Annual Conference

Series (Global Competition Law Centre Book 4) The Permission Seeker's Guide Through the Legal Jungle: Clearing Copyrights, Trademarks and Other Rights for Entertainment and Media Productions Patents, Copyrights and Trademarks For Dummies Intellectual Property: Patents, Trademarks, and Copyright (Nutshell Series) The Pocket Legal Companion to Trademark: A User-Friendly Handbook on Avoiding Lawsuits and Protecting Your Trademarks (Pocket Legal Companions) Guiding Rights: Trademarks, Copyright and the Internet

[Dmca](#)