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IP SURPRISE! “Beer and Beverage Business, and Trademark Reform”

New York Law School

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IP SURPRISE!

IP in Unconventional Industries

March 18, 2010 • 6:00 p.m.–8:00 p.m. • 185 West Broadway, W402

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Trademark issues for small businesses have become increasingly common. The dispute last year between Monster Energy Drink and Rock Art Brewery over the latter's "Vermonster" beer is a prime example. While the two companies eventually reached an agreement over use of their respective marks, the controversy got the attention of Vermont Senator Patrick Leahy, whose recently introduced trademark reform bill would require a study of "whether large corporations are misusing the trademark laws to harass small businesses by exaggerating the scope of their trademark protection." At the same time, it can't be forgotten that larger corporations have strong interests and in some cases legal and/or shareholder obligations to enforce the strength of their mark.

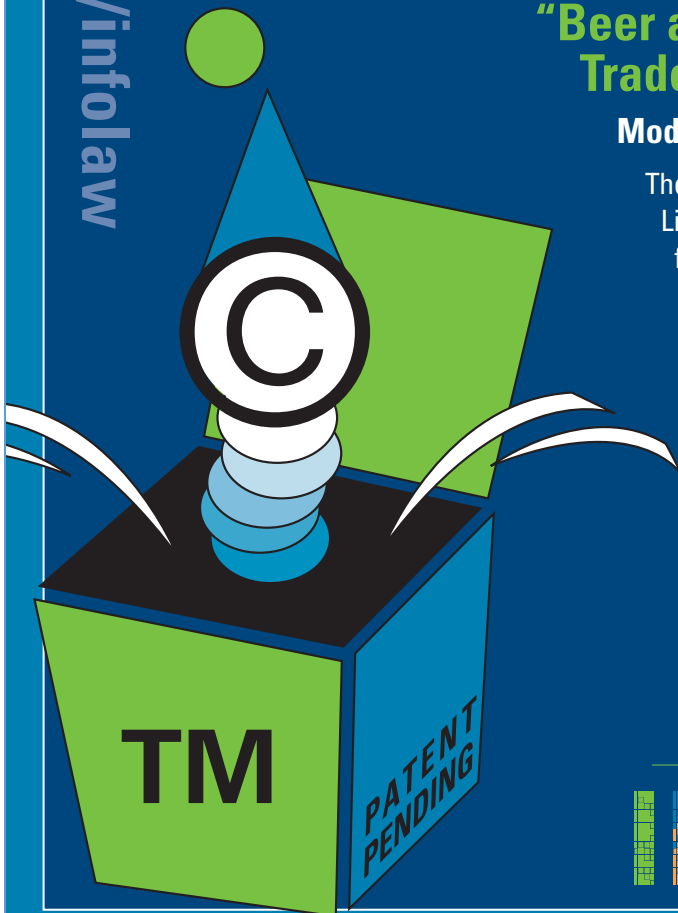
BEER

"Beer and Beverage Business, and Trademark Reform"

Moderator: Professor Dan Hunter

The panel will include Rock Art's attorney, Douglas K. Riley of Lisman, Webster & Leckerling, PC of Burlington, Vermont, for a discussion of his IP practice, which includes many issues related to Vermont's burgeoning "artisan foods" industry. Joining him will be Lauren Mandell, Senior IP Counsel at Diageo North America, one of the largest alcoholic beverage brand owners in the world, to discuss her practice. Professor Dan Hunter will moderate this practice and policy discussion of the trademark interests of small businesses versus those of large brands, how to reform and refine the rules to accommodate both interests more equitably, and the ways that trademark law and litigation affect the results.

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