



Identity & Origin
Trademark

Trademark Infringement and Related Rights

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Kononmark
Most rights sharable

source

Elements of trademark infringement

(regular passing-off theory)

1. Ownership of a valid mark, and
2. the defendant used
3. in commerce
4. that mark or a similar symbol
5. in connection with the sale, offering for sale, distribution, or advertising of goods or services, and
6. the use caused likelihood of confusion, mistake, or deception

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Likelihood of confusion factors

- Fed: the DuPont factors
- 1st: the Pignons factors
- 2d: the Polaroid factors
- 3d: the Lapp factors
- 4th: the Pizzeria Uno factors
- 5th: the Oreck factors
- 6th: the Frisch factors
- 8th: the SquirtCo factors
- 9th: the Sleekcraft factors
- 10th: the Beer-Nuts factors
- D.C.: the Polaroid factors







**AMF Slickcraft.
For those who know the difference.**

Some boaters, particularly beginners, frequently doubt the real pleasure of boating. The only reason they think this way is that they can't see the difference in the way they feel.

But when you own a Slickcraft* you know better. Whenever pleasure you want is to enjoy it, you quickly discover that a good part of the pleasure, away from the usual feeling of an unshakable confidence in the craft that gives you the real fun.

Slickcraft quality starts with the hull. With floor-plank hulls, Slickcraft boats are built by layering and curving into the mold to create an unshakable hull for better flotation and rigidity. Replicated from actual hard wood boats on the water. So it's not just the hull, it's the hull's strength and rigidity that gives you the real fun.

Now make a clear gateway to a full day of fun.

For more Slickcraft information, write to AMF Slickcraft, 100 East 37th Street, Hickland, Michigan 48143.

AMF Slickcraft
Since 1957

*Slickcraft is a registered trademark of AMF Corporation.

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- 9th: the Slee
- 10th: the Be
- D.C.: the Pol

The circuits have slightly different lists. But here is a synthesized list you can use ...

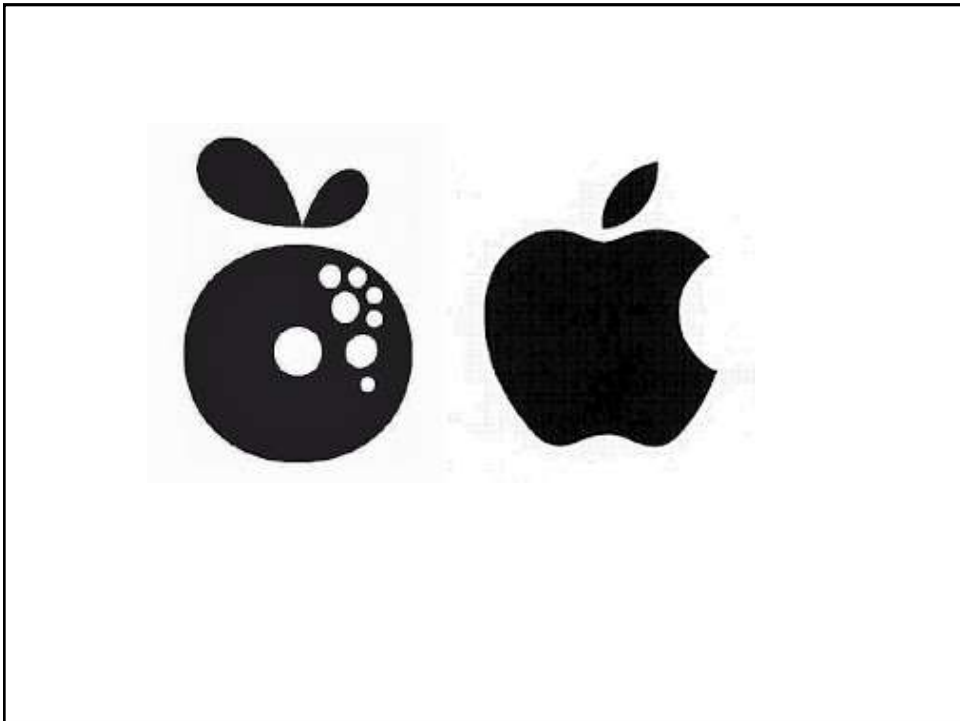
Likelihood of confusion factors (synthesized list)

- strength of the plaintiff's mark (commercial strength and distinctiveness)
- degree of similarity between marks
- proximity of products in the marketplace
- likelihood the prior owner will bridge the gap
- actual confusion
- defendant's good faith (or lack thereof) in adopting its own mark
- care and sophistication of relevant consumer

inherently distinctive	fanciful arbitrary suggestive		<i>misdescriptive</i>	inherently distinctive product packaging	
can acquire distinctiveness	merely descriptive	primarily geographically descriptive	deceptively misdescriptive	non-inherently distinctive product packaging product design color	primarily a surname
unprotectable	generic	primarily geographically deceptively misdescriptive	deceptive	functional	immoral disparaging names/likenesses of living people gov't symbols

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AMF Slickcraft.
For those who know the difference.

Some boaters, particularly beginners, frequently doubt the real quality of their boat. The only way to know they're right is to know why you can't get a better boat for the same price.

But when you own a Slickcraft, you know better. Whenever pleasure you want is to enjoy it, you quickly discover that a good part of the pleasure, away from all the usual hassles of an unshockable confidence in the craft that gets you there, and back.

Slickcraft quality starts with the hull. With floor-panels that are laid-up by layer instead of sprayed into the mold. It carries on with dozens of other better features and regular, top-of-the-line quality hardware. In this same amount of cost, but showing a sureness that'll keep your Slickcraft looking newer longer, and worth more longer, too.

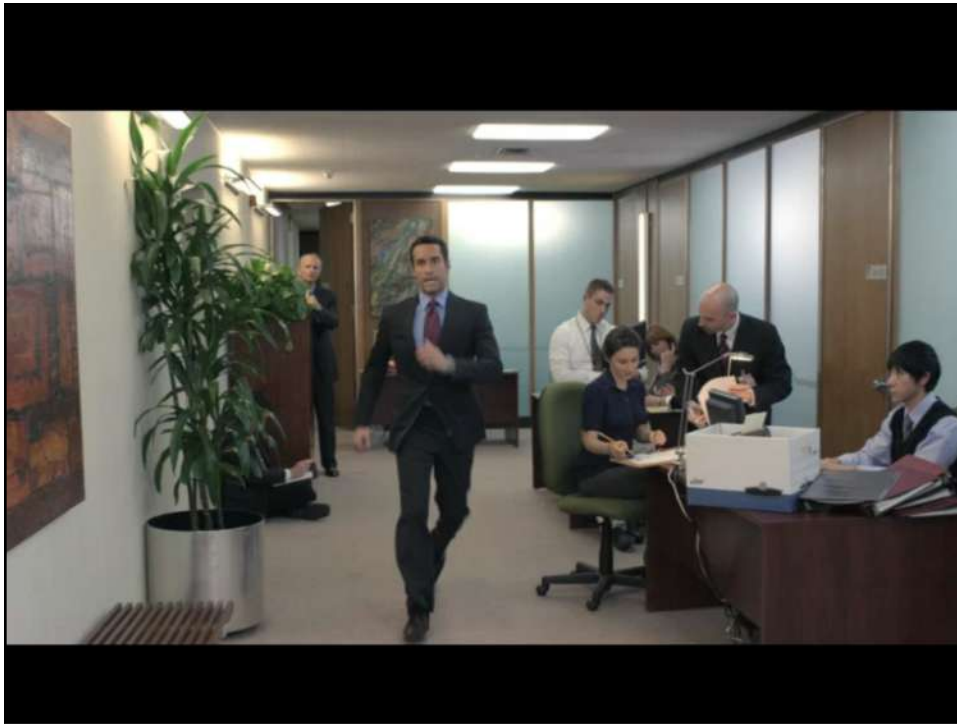
Now you get the same as the best boats. Now make a clear pathway in a full domain.

For more Slickcraft boat details and literature, write to AMF Slickcraft, 100 East 37th Street, Hickland, Michigan 48143.

AMF Slickcraft
 Since 1911

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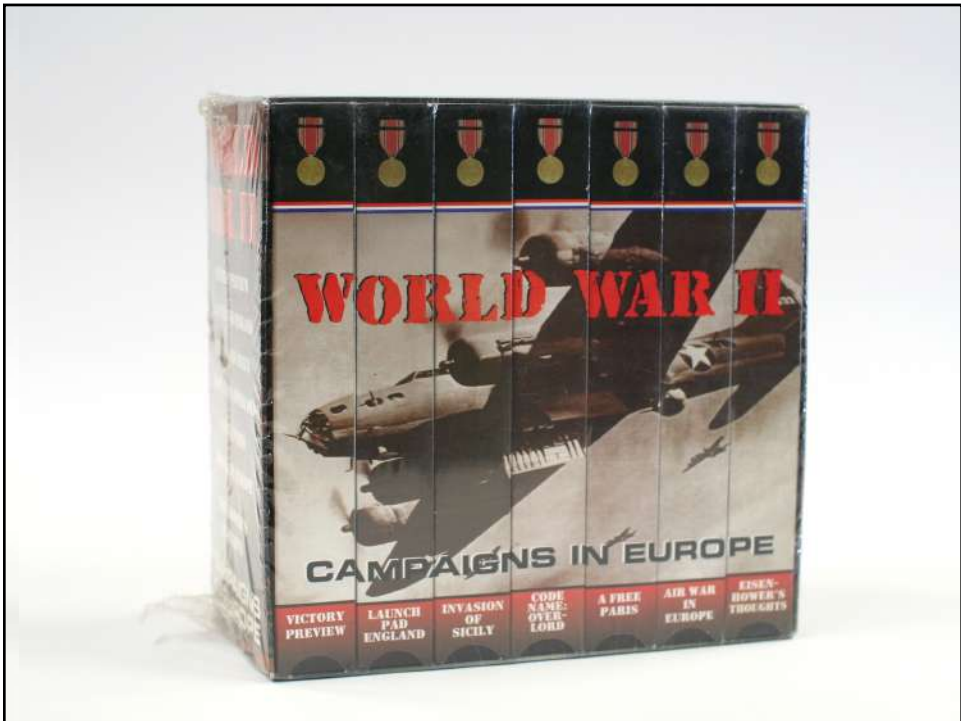
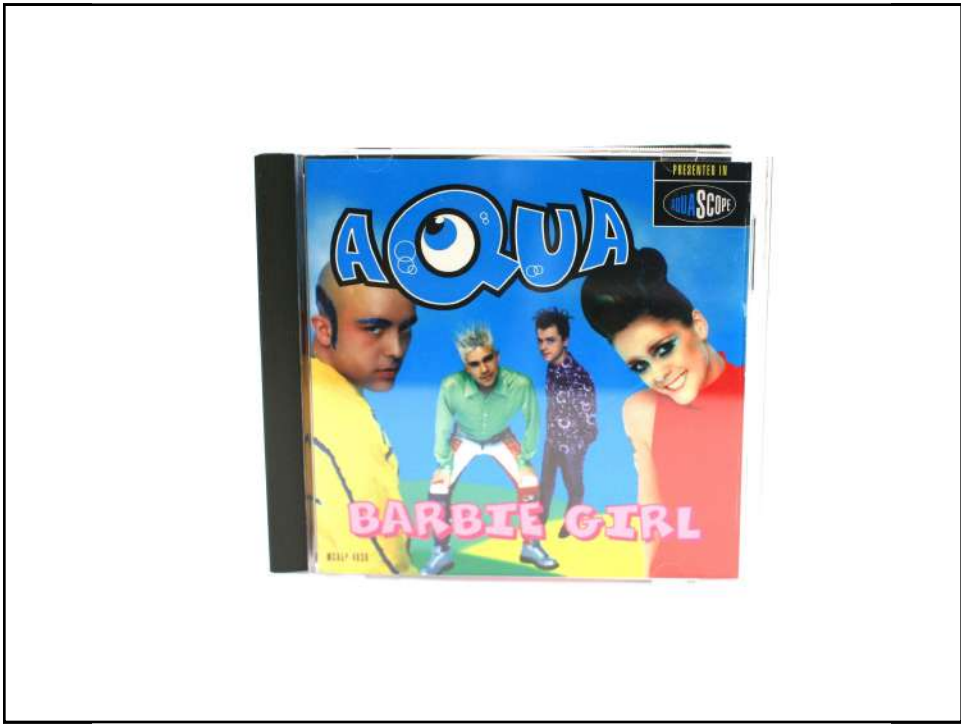
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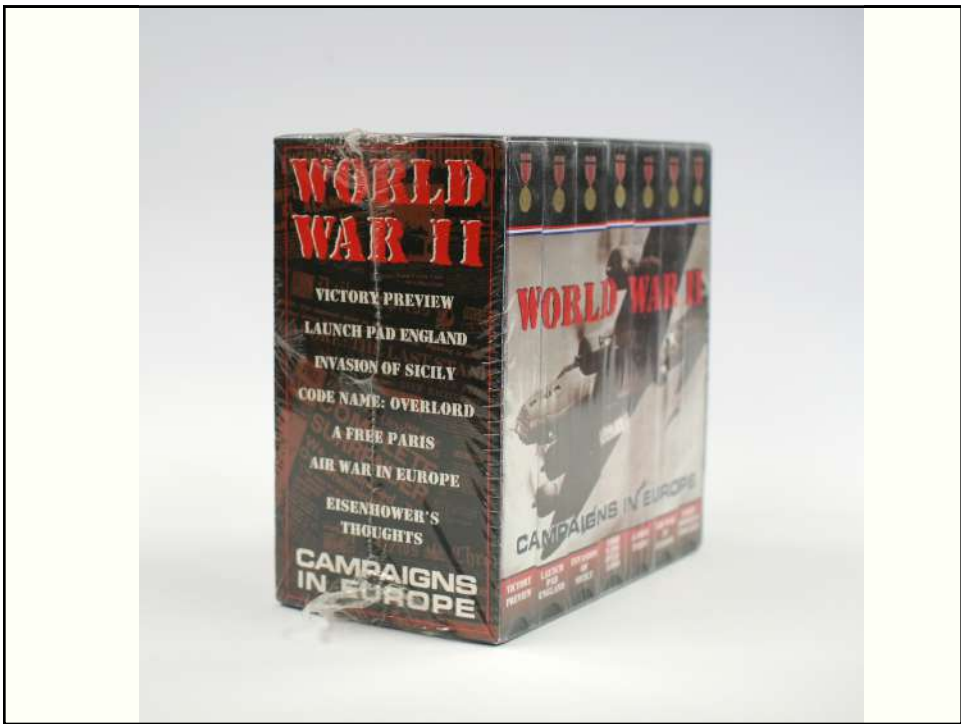
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