Subject: Re: Trademarks and intellectual property rights
Posted by MQracing on Wed, 14 Sep 2005 10:40:19 GMT
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Hi Wayne:just to give you a moreso complete historical picture;you wrote;:::I know for sure that DST has been using the name prior to you, and so I don't think you can actually claim it.:::Peerless...which was organized as Peerless Elecrical Products Company (Pepco for short) was organized in 1934 in the state of Michigan and has continuously used the Peerless name in association with transformer production since that time.The trademark as originally sought out by Peerless doesn't come much before 1956. Perhaps because they did not in the first 22 years have any issues with pirates on bulletin boards misappropiating their namesake.The other firm you mention has a trademark on the name Peerless for speakers and in fact this company (and it's earlier business organizations) used the namesake in conjunction with the sale and marketing of speakers and speaker related parts and etc.Their was never (to my knowledge) any difficulty with Peerless the transformer maker and Peerless the speaker maker co-existing peacefully together. And since, apparently, now that Peerless the speaker maker does not have the namesake Peerless federally registered as a trademark... that, again, it would be fine for anyone to appropiate that namesake and start calling some speakers or speaker drivers "Peerless"?Can we apply the rule evenly... no federal registration of a trademark or namesake... then no protection from audioroundtable...metasonix, Welborne Labs, and the list I gave earlier plus I have two more business candidates who appear to lack federal registration of a trademark.... Lundahl and Electra-Print. Actually the Lundahl name has quite a few listings... including firms who make and sell circuit boards (located in Utah) and another Lundahl registration for a company who makes\sells farm equipment.again... it's a common sense standard... everyone would know (or should know) that using the name Metasonix to represent or sell certain electronic gear steps on Eric's toes.... whether he has a federal registration for Metasonix or not....best I can see is that the standard that you propose would be enforced wholly arbitrarily.msl