Subject: Re: Trademarks and intellectual property rights
Posted by MQracing on Wed, 14 Sep 2005 11:40:49 GMT
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Hello Wayne:you wrote::::See, but the problem is that both transformers and loudspeakers are in Class 9. That makes it a sticky situation.:::for the sake of debate... suppose that the Peerless speaker people have constructive sole property of the namesake Peerless. Even if your hypothesis would be correct... and that both transformers and loudspeakers fall into class 9... then...Douglas' use of the namesake Peerless would still be in violation of someone else's ownership rights to the namesake. Namely, that any finding that would deprive us of use and ownership of the Peerless name in reference to transformers because of any alleged rights of ownership accruing to Peerless the speaker company would also apply equally across the board to Douglas' use of the namesake.Of course, I am not acceding this point except to argue that a consistent argument would still find Douglas' use of the Peerless namesake illicit if in fact that name is owned solely by Peerless the speaker people.msl