Subject: misuse of trademarks
Posted by MQracing on Thu, 22 Dec 2005 17:30:19 GMT
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Damir wrote:::::He thinks that he have right to say that his OPT is modified old S265Q "Peerless" design,::::There was a long discussion of this issue months ago on the Dungeon.And here is what the outcome was... or what was supposed to be guiding us as regards Doug's wish to misuse our trademarks.In message number 1440 written by Wayne Parham he stated in part;:::As for aknowledgement of trademark rights by AudioRoundTable.com or me personally (or anyone else in America for that matter), the litmus test is actually pretty clear. First use in commerce. That's what determines who owns trademarks, and that's what ART recognizes because that's what trademark law says.:::further, in a later message #1450 that same day Wayne Parham stated in part;"...on the matter of the trademark, I think Mike has clearly shown he owns the registration for the "P" and the stylized logo. I think he also makes a reasonable argument that he has been using the Peerless name in commerce for several years and that it identifies his products." "So I think we should probably respect their longstanding use of this name to identify their products."and, yet, you have allowed Doug to abuse our trademarks and the goodwill of our trademarks for his personal gain. I was operating under the assumption that this issue had been discussed and that an agreement was reached respecting he use of another's trademarks and the goodwill which it represents.Yet you have chosen to take Doug's word... that he has a "right" to use our name... absolutely not. And you know better as well. And yet allowed it to continue unabated even after I wrote to you privately asking you to follow and implement the agreements that had been reached.We would not have had any strife whatsoever if you had simply done your job as a moderator.msl