

Force-ing Trademark Violators to Stop

By Reg P. Wydeven
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Last week kicked off our rec league basketball season. It was great to see my buddies and get back out on the hardwood. But after about three trips up and down the floor, I realized I should have stayed a little more active after the end of the softball season.

Getting proper exercise and staying healthy are extremely important. With the increasingly busy lives we lead, making time to work out is difficult. It's a little bit easier, however, if you're able to find a form of exercise you are passionate about.

My wife loves to walk, bike and go kayaking. My sister does Pilates. My sister-in-law is into yoga. Both of my brothers-in-law have black belts in karate. I positively love playing hoops, but a new workout has piqued my interest.

New York houses two new health clubs: Lightsaber Academy and New York Jedi.

Lightsaber Academy is described as "a consortium of lightsaber practitioners with a culmination of 50 years' experience of teaching various swordplay techniques." Students can earn certification in lightsaber instruction from classes organized at comic conventions. For \$10, they can also buy an official LSA patch.

Instructors at New York Jedi offer private lessons and group classes and boast "experienced dancers, martial artists, and cosplayers that know a thing or two about saber choreography." Classes are advertised as \$10 per session, while some are free with a request for donations to cover room fees. New York Jedi even features "Saberkids," which are classes for young Padawans ages 7 to 13.

These classes sure sound like a fun way to stay fit, but if I want a lesson, I should probably sign up soon.

Last month Lucasfilm, which is owned by the Walt Disney Company, sued Lightsaber Academy and New York Jedi in United States District Court in San Francisco. Lucasfilm is seeking up to \$2 million in damages for each trademark infringement, claiming the businesses' use of the words "Jedi" and "lightsaber" violate the production company's intellectual property rights. In addition, the suit alleges the Lightsaber Academy's patch is "nearly identical, and confusingly similar, to Lucasfilm's Trademark Jedi Order logo."

Lucasfilm has a reputation for zealously protecting its intellectual property rights. The proprietor of the businesses, Michael Brown, also known as Flynn Michael, requested licensing permission from Lucasfilm for the classes. The company denied his request, but he offered the classes anyway. After Michael ignored the numerous cease-and-desist letters Lucasfilm sent him, they filed suit.

"We protect our intellectual property rights vigorously and we take reports of suspected infringement seriously," said a spokeswoman for Lucasfilm. This is evidenced by the company's suit filed against Motorola for selling a cellphone that used the word "Droid." A British company was sued in the country's highest court for selling unauthorized replica Stormtrooper costumes.

Finally, Lucasfilm essentially sued the Ronald Reagan administration for using the name "Star Wars" to describe the Strategic Defense Initiative, which was a missile defense system. The court ruled that, "When politicians, newspapers, and the public generally use the phrase star wars for their convenience, in parody or descriptively to further a communication of their views on SDI, plaintiff has no rights as owner of the mark to prevent this use of STAR WARS."

It's probably a good thing I didn't take one of those Jedi classes. I most likely would have just ended up slicing my leg off anyway.

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