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**May the Force of Trademark Protection be with You**

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It has been said that imitation is the sincerest form of flattery. Do not tell that to Lucasfilm Ltd., the creative force behind the Star Wars franchise. Just this month, Lucasfilm sent a rogue group of briefcase wielding Jedi lawyers to a federal courthouse in Northern California to shut down the operations of Michael Brown and his "Lightsaber Academy," which offers lightsaber classes to young Padawan learners who want to try to bring a piece of the big screen to life in their own living rooms.

The crux of its lawsuit is simple. Lucasfilm owns the federal trademark registrations for "Jedi" and "Lightsaber," and only it can use those trademarks to make a profit.

While Lucasfilm might maintain a higher profile and larger budget than most Michigan companies, its lawsuit serves as a subtle reminder of how important it is for companies to register and protect trademarks.

A trademark can be any sign, design or phrase that sets a particular set of products or services apart from others, the way the Nike Swoosh design denotes a certain brand of shoes.

A trademark owner need not apply for federal trademark registration to use a trademark, but federal registration is an absolute must have to protect a trademark from infringement. The holder of a federal registration may sue an infringing party, not only for an order prohibiting the infringer from future use of the mark, but for attorneys' fees and enhanced monetary damages. Even the threat of damages resulting from the infringement of a registered trademark is sufficient to resolve most trademark disputes before they ever see the inside of a courtroom.

Navigating the US Patent and Trademark Office's registration requirements can get complicated. If you think you have a trademark that you would like to protect, we can help.