

Copyright Law Can Protect Businesses From Unfair Competition

“Businesses have several available causes of action to claim when a competitor attempts to replicate the business’ appearance in advertising or its products. Trademark law, such as the Lanham Act, provides many remedies to a business which believes that a competitor is emulating the business and creates a ‘likelihood of confusion.’ ... However, copyright law has a more limited application in comparison to trademark law in cases involving emulation of design amongst competing businesses, as reflected in the recent case, *Off Lease Only, Inc. v. Lakeland Motors*,” discuss *Mavrick Law Firm in their blog*.

“When a competitor emulates the appearance of a company’s products or advertising, the first cause of action to consider is usually under trademark law. Trademark law was enacted to prevent a business emulating or copying the appearance of another. Copyright law is generally more concerned with protecting artists from unlawful reproductions of their work, such as in music, film, or in books. However, in limited scenarios, an aggrieved business may also have the opportunity to initiate business litigation under copywrite law when a competitor copies the artistic qualities of a business’ advertising or products.”

Read the article.