If You Trademark It, Then You Better Put a Ring on It

The iconic jewelry store Tiffany & Co. is a model for trademark enforcement, aggressively and successfully policing its brand in the courts. Last year, Tiffany filed a lawsuit against Costco Wholesale Corp., claiming that the warehouse giant sold more than $6 million of ersatz Tiffany engagement rings and improperly used the jeweler's name on at least 200,000 in-store signs. This week Tiffany prevailed by winning a $19.4 million judgment in federal court.

Dallas lawyer **Chris Schwegmann**, a partner at **Lynn Pinker Cox & Hurst** who tries intellectual property cases, has been following the Tiffany v. Costco dispute.

> *"This type of litigation not only discourages counterfeiters, but also ensures that Tiffany's luxury brand doesn't get diluted over time. I find it interesting that Costco argued that 'Tiffany' represents a generic term used to describe a ring setting, and not just a brand name. That's a tough case to make against a company that aggressively defends its brand.*
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> *"Based on the sizable judgment, it is unlikely that other companies in the industry will try to make the same arguments against Tiffany & Co. That's the benefit of aggressive trademark enforcement."*

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