

11th Circuit: Arbitration Clauses Are Like Makeup – They Only Cover So Much

In a pun-laden opinion, the Eleventh Circuit Court of Appeals affirmed a district court's ruling that the Kardashian sisters Kim, Kourtney and Khloe could not rely on the doctrine of equitable estoppel to compel plaintiff Kroma Makeup EU, LLC to arbitrate its claims, **reports TheTMCA.com**.

Those claims involved allegations of trademark infringement and tortious interference with contract.

As the court put it, "there is a wrinkle in this case: the arbitration clause which the non-party to the agreement is seeking to enforce is explicitly limited to disputes between the parties."

TheTMCA.com reports:

The Eleventh Circuit first clarified that although federal law generally governs arbitration agreements, the "issue of whether a non-signatory to an agreement can use an arbitration clause in that agreement to force a signatory to arbitrate a dispute between them is controlled by state law," and that the parties "agree that Florida law controls on that issue."

Read the article.