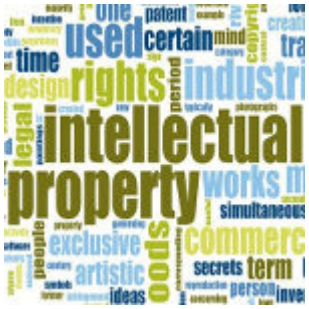
Are Energy Drink Brands Trade Mark Bullies?



Energy drink brands certainly appear to be giving their IP strategies wings in 2015. Both Red Bull and its competitor Monster Drinks have been taking an enthusiastic approach to protecting their respective trade marks. However, the legitimacy and reasonableness of their disputes has again raised the issue of aggressive litigation tactics and trade mark bullying, reports Primary Opinion on its website.

Last year, Brand Finance's annual study Global 500 gave Red Bull the AAA+ rating – "one of only eleven brands including Google, Hermès, Coca-Cola, Disney, Rolex and" Ferrari to be granted the top "benchmark of the strength, risk and potential of a brand relative to its competitors," noted Anita Brown of Phillips Ormonde Fitzpatrick. With such a massive global presence, it's understandable that the company takes a stimulated approach to brand protection.

However, Red Bull's aggressive "trademark enforcement strategy" is "too strong, according to some." In 2014, it attracted "a strong public reaction" when it threatened British brewery Redwell with legal action if it used its mark for energy drinks.

On Jan. 28 the company filed a Notice of Opposition against an American brewery's "application to register its OLD OX BREWERY mark in connection with beer, ale, lager, stout and porter. Red Bull claims that the OLD OX BREWERY mark is likely to create confusion with its RED BULL mark."

Read the story.