

USA: Rohn v. Viacom International Inc., United States Court of Appeals, Sixth Circuit, No. 17-1225, 18 December 2017

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The federal district court in Grand Rapids, Michigan, did not err in determining that Viacom's BUBBLE GUPPIES animated children's television show on the Nickelodeon Network and related merchandise did not infringe registered trademarks for GUPPIE owned and used by a Michigan couple in connection with children's clothing, the U.S. Court of Appeals in Cincinnati has determined. Given the extreme commercial weakness of the couples' mark—total sales of about \$2,000 over a 10-year period— and no evidence of actual confusion, no reasonable jury could find that consumers were likely to confuse the parties' marks. Summary judgment in favor of Viacom was affirmed (Rohn v. Viacom International Inc., December 18, 2017, Kethledge, R.).

A full summary of this case has been published on [Kluwer IP Law](#).