

USA: Phoenix Entertainment Partners, LLC v. Casey Road Food and Beverage, LLC, United States Court of Appeals, Eleventh Circuit, No. 17-13043, 13 March 2018

Kluwer Trademark Blog

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The federal district court in Tampa properly determined that a karaoke disc jockey's use of unauthorized copies of karaoke tracks displaying Phoenix Entertainment Partners' SOUND CHOICE mark did not constitute trademark infringement or unfair competition under the Lanham Act, the U.S. Court of Appeals in Atlanta has ruled in an unpublished decision. Adopting the reasoning of the Seventh and the Ninth Circuits in rejecting similar Lanham Act claims brought by Phoenix in other cases against karaoke venues and disc jockeys, the Eleventh Circuit held that Phoenix failed to plausibly allege any consumer confusion (Phoenix Entertainment Partners, LLC v. Casey Road Food and Beverage, LLC, March 13, 2018, per curiam).

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