

# Trademark case: The Row, Inc. v. Rooke, LLC, USA

**Kluwer Trademark Blog**

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The U.S. Court of Appeals for the Sixth Circuit upheld the dismissal of a trademark infringement suit filed by a Nashville restaurant called “The Row Kitchen and Pub” against a competing restaurant named “Dierks Bentley’s Whiskey Row.” Although the restaurants were direct competitors serving tourists visiting Nashville’s Music Row; offered inexpensive, pub-style food and drinks and live music; and were marketed through the same social media and restaurant review channels, the term “row” was only indicative of location and did not have a secondary meaning. Further, the marks were visually dissimilar, and The Row Kitchen and Pub offered very little evidence to raise a genuine issue of material fact that the Whiskey Row mark created the likelihood of confusion (The Row, Inc. v. Rooke, LLC, September 20, 2018, Keith, D.).

Case date: 20 September 2018

Case number: No. 18-5068

Court: United States Court of Appeals, Sixth Circuit

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