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## Trademark case: Fabick Inc. v. JFTCO, USA

Robert Margolis (Wolters Kluwer Legal & Regulatory US) · Tuesday, December 24th, 2019

“Reverse trademark confusion” infringement theory suffices for liability but does not support recovery of infringer’s profits.

The U.S. Court of Appeals in Chicago has affirmed a Wisconsin federal jury’s verdict finding that defendant JFTCO, Inc. (“JFTCO”) infringed the registered FABICK trademark owned by plaintiff Fabick, Inc. (“FI”). The court also affirmed two district court rulings on remedies; specifically, that FI is not entitled to recover JFTCO’s profits and that a permanent injunction precluding JFTCO from ever using the Fabick family name was not necessary (Fabick, Inc. v. JFTCO, Inc., December 9, 2019, Hamilton, D.).

Case date: 09 December 2019

Case number: No. 19-1760

Court: United States Court of Appeals, Seventh Circuit

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

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