

# Trademark case: SM Kids LLC v. Google LLC, USA

**Kluwer Trademark Blog**

August 17, 2020

John W. Scanlan

*Please refer to this post as: John W. Scanlan, 'Trademark case: SM Kids LLC v. Google LLC, USA', Kluwer Trademark Blog, August 17 2020, <http://trademarkblog.kluweriplaw.com/2020/08/17/trademark-case-sm-kids-llc-v-google-llc-usa/>*

---

The existence of a contractual relationship between the two parties was not a prerequisite to the power of the district court to adjudicate the breach of contract claim.

Whether the assignment of a trademark for a brand of children's products was valid was a question of contractual standing rather than Article III standing, the U.S. Court of Appeals for the Second Circuit ruled in vacating and remanding a district court's decision to dismiss the purported trademark owner's lawsuit for lack of subject-matter jurisdiction. The trademark owner satisfied the requirements for Article III standing (SM Kids, LLC v. Google LLC, June 25, 2020, Parker, B).

Case date: 25 June 2020

Case number: No. 19-2547-cv

Court: United States Court of Appeals, Second Circuit

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