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Trademark case: Bluetooth SIG Inc. v. FCA US LLC, USA

Robert B. Barnett (Wolters Kluwer Legal & Regulatory US) · Thursday, June 23rd, 2022

The Ninth Circuit clarified that the first sale doctrine was not meant to be limited to purchasers who do no more than stock, display, and resell a producer's product.

In a trademark infringement suit involving the use of Bluetooth technology in Fiat Chrysler vehicles, the Ninth Circuit in an interlocutory appeal reversed a Washington district court's grant of summary judgment to Bluetooth SIG Inc. on the ground that the first sale doctrine did not apply and ruled that the first sale doctrine applies when a trademarked product has been incorporated into a new product. As a result, the first sale doctrine protected Fiat Chrysler's purchase of Bluetooth technology from a third party and incorporation of the technology into its vehicles. The Ninth Circuit also, however, remanded the case for a further determination as to whether Fiat Chrysler had adequately disclosed its relationship with, and qualifications to use, Bluetooth technology, as it was required to do under limits previously placed on the first sale doctrine (*Bluetooth SIG Inc. v. FCA US LLC*, April 6, 2022, per curiam).

Case date: 06 April 2022

Case number: No. 21-35561

Court: United States Court of Appeals, Ninth Circuit

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

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