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# Kluwer Trademark Blog

## USA: The Board of Directors of Sapphire Bay Condominiums West v. Simpson, United States Court of Appeals, Third Circuit, Nos. 14-3922, 21 December 2015

Jody Coultas (CCH) · Wednesday, December 30th, 2015

The Board of Directors of Sapphire Bay Condominiums West was unable to state Lanham Act claims against a disgruntled condominium owner who operated a website to complain about the Board, according to the U.S. Court of Appeals in Philadelphia (*The Board of Directors of Sapphire Bay Condominiums West v. Simpson*, December 21, 2015, McKee, T.). The Board could not prevent the disgruntled owner from using the complex's service mark in domain names and on complaint websites because the websites were not commercial in nature and no consumer would be confused into believing that the websites were sponsored by or otherwise affiliated with the board.

A **full summary** of this case has been published on **Kluwer IP Law**.

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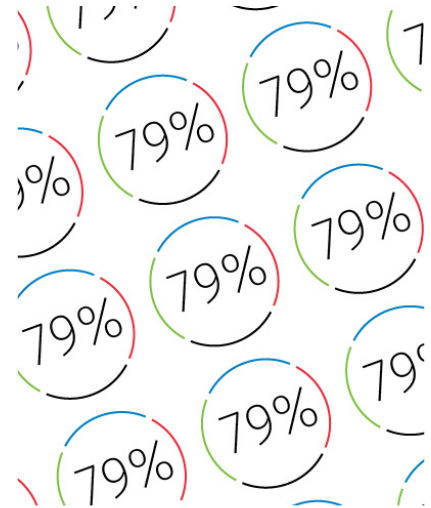
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