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# Kluwer Trademark Blog

## USA: Emerald Cities Collaborative, Inc. v. Roese, United States Court of Appeals, Federal Circuit, No. 2016-1703, 13 December 2016

Jody Coultas (CCH) · Monday, December 19th, 2016

Emerald Cities Collaborative, Inc. (ECC) was unable to show that the Trademark Trial and Appeal Board's cancellation of its trademark registration of THE EMERALD CITY and dismissing its opposition to an application filed by Sheri Jean Roese ("Roese") was an error, according to the U.S. Court of Appeals for the Federal Circuit. The Board did not err in determining that a 2009 agreement between ECC and Perry Orlando regarding the mark prior to its registration constituted an assignment of the intent-to-use application for that mark in violation of Section 10 of the Lanham Act, 15 U.S.C. § 1060(a)(1) (Emerald Cities Collaborative, Inc. v. Roese, December 13, 2016, Lourie, A.).

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

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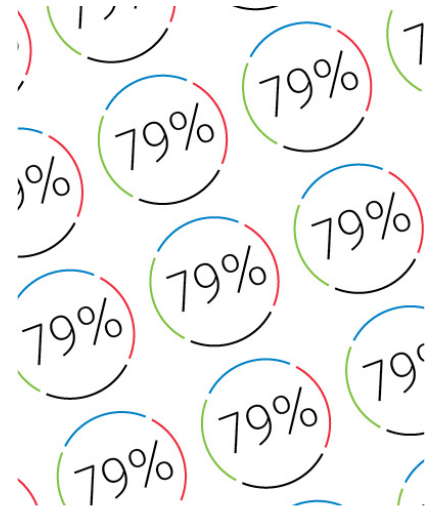
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