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Trademark case: Laerdal Medical Corp. v. International Trade Commission, USA

Marilynn Helt · Thursday, December 27th, 2018

The International Trade Commission (ITC) erred when it reassessed the sufficiency of Laerdal Medical Corp.'s trade dress claims against defaulting respondents after instituting an investigation of the claims, the U.S. Court of Appeals for the Federal Circuit has held. Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. §1337, unambiguously requires the ITC to grant relief against defaulting respondents, subject only to public interest concerns, if the prerequisites of Section 337(g)(1) are satisfied. The Federal Circuit reversed the ITC's determination that Laerdal failed to plead its trade dress claims with adequate detail, vacated the ITC's decision that no relief was warranted, and remanded to the ITC to determine the appropriate remedy after consideration of public interest concerns (Laerdal Medical Corp. v. International Trade Commission, December 7, 2018, O'Malley, K.).

Case date: 07 December 2018

Case number: No. 2017-2445

Court: United States Court of Appeals, Federal Circuit

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

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