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# Kluwer Trademark Blog

## Trademark case: C5 Medical Werks LLC v. CeramTec GmbH, USA

Thomas Long (Wolters Kluwer Legal & Regulatory US) · Tuesday, September 17th, 2019

The German manufacturer's participation in tradeshows in Colorado was "by chance" and did not indicate "purposeful availment" of the forum state, and its efforts to enforce its asserted trade dress occurred outside Colorado.

A German company that manufactured ceramic components of medical prostheses was not subject to personal jurisdiction in Colorado, with regard to a competitor's action seeking a declaratory judgment that its prostheses did not infringe the German company's asserted trademark in the color pink, the U.S. Court of Appeals in Denver has decided. The court held that the German company's attendance at tradeshows was "fortuitous" and insufficient to show purposeful availment of the forum state. Furthermore, to the extent that the German company engaged in enforcement activity, it did so outside of Colorado. The appellate court reversed a district court's denial of the German company's motion to dismiss for lack of personal jurisdiction and remanded with instructions that the case be dismissed (*C5 Medical Werks, LLC v. CeramTec GmbH*, September 11, 2019, Eid, A.).

Case date: 11 September 2019

Case number: No. 17-1173

Court: United States Court of Appeals, Tenth Circuit

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

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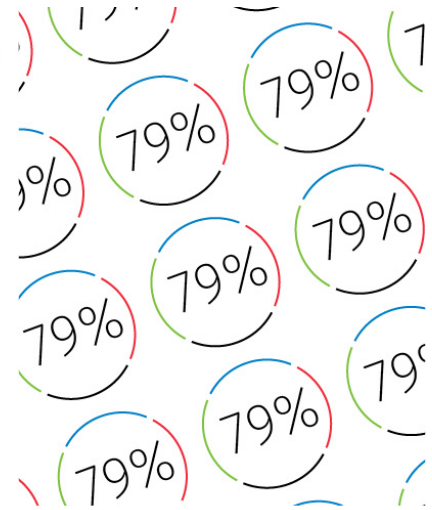
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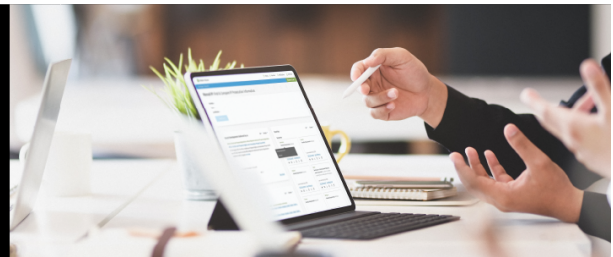


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