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Trademark case: Select Comfort Corp. v. Baxter, USA

Linda O'Brien (CCH) · Monday, August 2nd, 2021

The summary judgment finding by the district court which rejected an air mattress company's theory of initial-interest confusion and the accompanying jury instruction that a likelihood of confusion must exist at the time of purchase to support a trademark infringement claim was erroneous.

In a suit by bedding manufacturer Select Comfort against a competitor for trademark infringement, trademark dilution, unfair competition, and false advertising, the district court's summary judgment finding that the company's theory of initial-interest confusion on the trademark infringement claim could not apply and accompanying jury instruction was an error, the U.S. Court of Appeals in St. Louis has ruled. Thus, the judgment on the trademark infringement and false advertising claims were reversed and the case remanded (Select Comfort Corp. v. Baxter, May 11, 2021, Melloy, M.).

Case date: 11 May 2021

Case number: No. 19-1077

Court: United States Court of Appeals, Eighth Circuit

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

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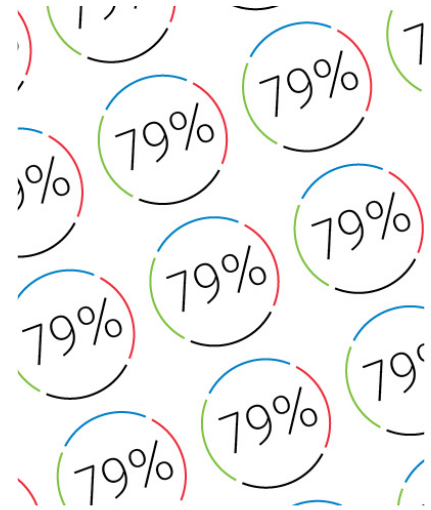
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