
Kluwer Trademark Blog

Trademark case: Combe Inc. v. Dr. August Wolff GmbH & Co. KG Arzneimittel, USA

Cheryl Beise (Wolters Kluwer Legal & Regulatory US) · Monday, August 23rd, 2021

Trial evidence supported the district court's judgment, blocking registration of VAGISAN in the United States.

The federal district court in Alexandria did not err in finding that a German company's mark VAGISAN used on feminine care products was likely to cause confusion with Combe, Inc.'s VAGISIL brand used on identical and overlapping goods, the U.S. Court of Appeals in Richmond has held. The district court properly evaluated the relevant likelihood of confusion factors in light of the evidence presented at trial, including overwhelming evidence of the commercial strength of VAGISIL brand products and Combe's Eveready consumer survey and a brand recognition, or "fame," survey (Combe Inc. v. Dr. August Wolff GmbH & Co. KG Arzneimittel, April 13, 2021, per curiam).

Case date: 13 April 2021

Case number: No. 19-1674

Court: United States Court of Appeals, Fourth Circuit

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

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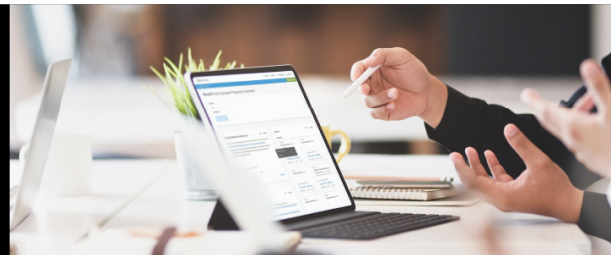
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