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Trademark case: Sunbio Corp. v. Biogrand Co. Ltd., USA

Matthew Hersh (Wolters Kluwer) · Monday, January 31st, 2022

Substantial evidence supported the Trademark Trial and Appeal Board's finding that another company, and not the trademark holder, actually used the mark in commerce.

The Trademark Trial and Appeal Board (TTAB) correctly determined that a Korean biopharmaceutical company did not use in commerce the mark for a nutritional product that purportedly improves brain performance, the United States Court for the Federal Circuit has held. The court, affirming in a nonprecedential decision the cancellation of the registration for the BF-7 mark, found that substantial evidence supported the Board's finding that another Korean company, and not the trademark holder, actually used the mark in commerce (Sunbio Corp. v. Biogrand Co., Ltd., December 14, 2021, Stoll, K.).

Case date: 14 December 2021

Case number: No. 2021-1433

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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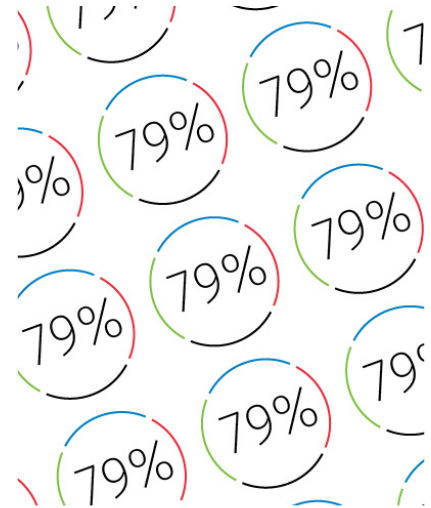
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