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## Trademark case: Appliance Liquidation Outlet, L.L.C. v. Axis Supply Corp, USA

Saurabh Kashyap (Wolters Kluwer Legal & Regulatory US) · Tuesday, August 6th, 2024

The court also exceeded its discretion in awarding attorney fees to the plaintiff.

The U.S. Court of Appeals for the Fifth Circuit reversed part of a federal district court's judgment in a trademark dispute between Appliance Liquidation Outlet, L.L.C. (ALO) and Axis Supply Corporation (Axis). The appellate court found that the district court erred in holding that APPLIANCE LIQUIDATION is a valid trademark and in awarding attorney fees to ALO. However, the court upheld the validity of APPLIANCE LIQUIDATION OUTLET as a trademark and confirmed that Axis infringed this mark by using a similar banner. The attorney fees award was vacated because the district court abused its discretion, lacking sufficient evidence of Axis's improper litigation conduct (Appliance Liquidation Outlet, L.L.C. v. Axis Supply Corp., No. 23-50413 (5th Cir. June 21, 2024)).

Case date: 21 June 2024 Case number: No. 23-50413

Court: United States Court of Appeals, Fifth Circuit

A full summary of this case has been published on Kluwer IP Law

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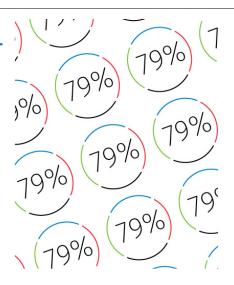
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