

## Adidas loses three-stripe trademark battle

16th January 2023



Sportswear giant Adidas has lost a courtroom battle over a perceived infringement of its trademark three-stripe logo. Adidas lodged a complaint against the American luxury fashion brand Thom Browne, which uses a four-stripe logo on its clothes. Adidas

claimed the four stripes were too similar to its three stripes and filed a lawsuit. It attempted to claim more than \$7.8 million in damages. However, a jury in a Manhattan court decided in Thom Browne's favour. It declared that the four stripes did not infringe on Adidas' logo or reputation. Jurors decided that consumers were unlikely to confuse the two brands, as they were capable of distinguishing between three and four parallel stripes.

Thom Browne is a New York-based fashion house founded in 2001. It caters to the high-end fashion market and has collaborated with many top names in the world of luxury apparel. The brand made a name for itself in 2020 by designing a scarf as part of Joe Biden's "Believe in Better" fashion collection. The dispute with Adidas dates back 16 years. Browne used a three-stripe design on a jacket in 2007. After Adidas protested, Browne switched to a four-stripe pattern. Thom Browne maintained that confusion between the two designs was unlikely because the two companies "operate in different markets, serve different customers, and offer their products at strikingly different prices".

Sources: [cnn.com](https://www.cnn.com) / [ndtv.com](https://www.ndtv.com) / [bbc.com](https://www.bbc.com)

### Writing

New trademarks that are similar to earlier logos should not be allowed. Discuss.

### Chat

Talk about these words from the article.

sportswear / giant / courtroom / battle / logo / stripe / lawsuit / court / consumers / fashion / market / apparel / brand / collection / jacket / confusion / markets / prices

### True / False

- 1) A fashion company complained about the three stripes of Adidas. T / F
- 2) Adidas wanted \$78 million in damages. T / F
- 3) A court in Manhattan decided against Adidas in infringement case. T / F
- 4) The court said consumers could easily confuse the two logos. T / F
- 5) The Thom Browne fashion house started over two decades ago. T / F
- 6) Thom Browne fashion designed a scarf for Joe Biden's fashion collection. T / F
- 7) Thom Browne used three stripes on a jacket in 2007. T / F
- 8) Thom Browne said the prices the two companies charged were similar. T / F

### Synonym Match

(The words in **bold** are from the news article.)

- |                        |                |
|------------------------|----------------|
| 1. <b>trademark</b>    | a. confound    |
| 2. <b>complaint</b>    | b. contravene  |
| 3. <b>claimed</b>      | c. changed     |
| 4. <b>infringe</b>     | d. protest     |
| 5. <b>confuse</b>      | e. established |
| 6. <b>founded</b>      | f. noticeably  |
| 7. <b>collaborated</b> | g. applied for |
| 8. <b>switched</b>     | h. asserted    |
| 9. <b>maintained</b>   | i. logo        |
| 10. <b>strikingly</b>  | j. teamed up   |

### Discussion – Student A

- a) What do you know about Adidas?
- b) What do you think of logos and trademarks?
- c) What do you think of Adidas' three stripes?
- d) Is four stripes an infringement of Adidas' three stripes?
- e) What are your favourite fashion brands?
- f) How important are logos?
- g) What sportswear products do you wear?
- h) What advice do you have for Adidas?

## Phrase Match

- |  |                            |
|--|----------------------------|
| 1. Sportswear giant Adidas has         | a. between three and four  |
| 2. a perceived infringement            | b. the two brands          |
| 3. claim more than \$7.8 million       | c. different prices        |
| 4. consumers were unlikely to confuse  | d. of its trademark        |
| 5. capable of distinguishing           | e. end fashion market      |
| 6. a New York-based fashion house      | f. in damages              |
| 7. It caters to the high-              | g. back 16 years           |
| 8. The dispute with Adidas dates       | h. was unlikely            |
| 9. confusion between the two designs   | i. lost a courtroom battle |
| 10. offer their products at strikingly | j. founded in 2001         |

## Discussion – Student B

- What do you think about what you read?
- What do you think of Adidas?
- What are your favourite logos?
- What do you think of luxury fashion?
- Why did Jo Biden have a fashion collection?
- Do you 'believe in better'?
- Do people spend too much money on fashion?
- What questions would you like to ask Adidas?

## Spelling

- a evrdipece infringement of its trademark
- Adidas lodged a aimcolptn
- filed a isuawtl
- infringe on Adidas' logo or puitatnero
- they were capable of ghqdiuntnsiisii
- four aallerlp stripes
- It seract to the high-end fashion market
- drclaotobael with many top names
- in the world of luxury leappar
- The idupets with Adidas dates back 16 years
- isfnucono between the two designs
- at giilyskrtn different prices

### Answers – Synonym Match

1. i	2. d	3. g	4. b	5. a
6. e	7. j	8. c	9. h	10. f

## Role Play

### Role A – Adidas

You think Adidas' logo is best. Tell the others three reasons why. Tell them what is wrong with their logos. Also, tell the others which is the worst of these (and why): Amazon, Apple or McDonald's.

### Role B – Amazon

You think the Amazon's logo is is best. Tell the others three reasons why. Tell them what is wrong with their logos. Also, tell the others which is the worst of these (and why): Adidas, Apple or McDonald's.

### Role C – Apple

You think Apple's logo is is best. Tell the others three reasons why. Tell them what is wrong with their logos. Also, tell the others which is the worst of these (and why): Amazon, Adidas or McDonald's.

### Role D – McDonald's

You think the McDonald's logo is is best. Tell the others three reasons why. Tell them what is wrong with their logos. Also, tell the others which is the worst of these (and why): Amazon, Apple or Adidas.

## Speaking – Logos

Rank these with your partner. Put the best company logo at the top. Change partners often and share your rankings.

- |              |             |
|--------------|-------------|
| • Adidas     | • Ferrari   |
| • McDonald's | • Coca Cola |
| • Apple      | • Amazon    |
| • Nike       | • Starbucks |

### Answers – True False

1 F	2 F	3 T	4 F	5 T	6 T	7 T	8 F
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Answers to Phrase Match and Spelling are in the text.