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Imitation Apple Stores and Trade Dress Protection

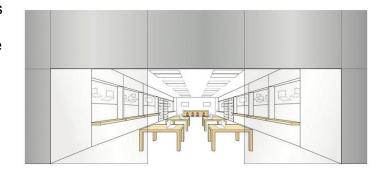
July 27, 2011 by Susan Perera

Many companies have experienced issues with counterfeit products, but few have likely dealt with counterfeit stores. Over the weekend I was surprised to hear about counterfeit Apple Stores in China selling authentic Apple products.

New reports identify up to five Chinese stores mimicking Apple's iconic store appearance down to the white Apple logo, clean look, and blue T-shirt employees, selling legitimate Apple products. An image of one of these uncannily similar stores is available here. While not authorized sellers, many sources suggest these stores are smuggling real Apple products into the country to avoid taxes and sell at lower prices than their authorized counterparts.

This is an interesting development in Apple's protection of its trade dress, an issue discussed by Catlan last month. While Apple has applied for protection of its well-known trade dress in the U.S. it is unclear if this trade dress is protected internationally.

As of Monday, Chinese officials had closed two of the locations; however, not based on IP or counterfeiting concerns but because the locations did not have the correct business permits.



What do you think about these Apple copy-cats? We will be monitoring this story to see if and how Apple's trade dress is protected in a country known for its lack of IP enforcement.

