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[INTELLigent Trademark Enforcement?](#)

Posted on December 6, 2010 by [Steve Baird](#)

What is the difference between a semiconductor computer chip maker and an electrician?

Not much, at least when both have the word "[intel](#)" in their business names, according to a [Complaint](#) (complete with [Exhibits](#)) filed last Thursday in Minnesota federal district court, by [Intel Corporation](#) a/k/a [Chipzilla](#), against a pair of Elk River, Minnesota electricians doing business as Intel Electrical Contracting Corp.

The pair's electrician business is so small it has no active website, only these meager listings on [Craig's List](#) and [ListOwn.com](#). From the Minnesota Secretary of State records, it appears that their corporation was formed in June of 2009, and then the [<intelelectrical.com>](#) domain was registered about a year later in June 2010 (probably what got the chip maker's attention in the first place).

Even more unhelpful to the electricians, however, will be the fact that their Internet domain resolves to a parked website with click-through advertisements (some even mentioning products of the chip maker) with this statement: "[This Web page is parked FREE, courtesy of GoDaddy.com.](#)" Soon enough, I suspect the electricians will have wished they'd declined Godaddy's "courtesy" -- one that most likely only earned GoDaddy click-through revenue, if any, not the electricians.

Nevertheless, will the timing of the stereotypical David v. Goliath suit in this currently and electrically-charged [no-bully-zone environment](#) end up favoring the accused? We'll see.

Indeed, with all the recent focus, discussion and concern about [trademark bullying](#), with the USPTO [seeking information](#) about [trademark bullies](#), with Intel's [apparent reputation \(in some circles\)](#) of living up to [the bully label](#), and with a [new music video](#) portraying Intel as the poster-child trademark bully (by failing to acknowledge the ordinary dictionary meanings of the term "intel"), one has to wonder whether laying low for a while might have been good advice for the giant chip maker, but, I guess it had no choice in the matter.

Paragraph 24 of Intel's Complaint seems to anticipate the bullying allegation with this assertion:



"Despite Intel's numerous attempts to resolve the dispute amicably, Intel Electrical has persisted in using the INTEL ELECTRICAL Marks, leaving Intel no choice but to file this Complaint."

So, I'm left wondering exactly what comprised the "numerous attempts" at an amicable resolution -- repeating "stop doing what you're doing" several times -- or whether numerous types of amicable approaches were tried? OK, not really.

In any event, I am left wondering, will the [wizard behind the curtain](#) come to the rescue again, to save the latest Intel trademark victim? [Ron](#), what say you? It's not the [Seventh Circuit](#), but Minnesota is very nice this time of year.

What do others think, does this case raise legitimate trademark claims or will it further support those who have already labeled Intel Corporation a trademark bully?

