

Jeremy Lin Facing Trademark Trouble in China

by Anthony Caruso on March 7, 2012

While Jeremy Lin continues to succeed on the basketball court, his luck in the sports law arena isn't so stellar. Since we last blogged about Lin, several other individuals have filed trademark applications for "Linsanity." While he should easily defeat those claims in the United States, trademarking his name in his home country of China might be a bigger challenge.

It turns out that a Chinese company trademarked Jeremy Lin's name in China over two years ago for a whopping \$700. According to Reuters, the sporting goods company applied to trademark a variation of Lin's name, "Lin Shuhao (in Chinese characters) Jeremy S.H.L. (initials of Lin's Chinese name)." The trademark was approved last August for use in connection with a wide array of athletic apparel and sports equipment.

Lin and his corporate sponsor, Nike, will likely have difficulty securing the mark because China, unlike the United States, gives priority to those who file first. The country also does not require trademark applicants to show actual use or an intention to use before granting the mark. Of course, Lin and Nike could buy the trademark from Wuxi Risheng Sports Utility Co., but that will likely be a costly endeavor.

Lin and Nike aren't the first in the sports industry to encounter legal headaches in China. Last month, basketball superstar Michael Jordan filed a lawsuit in China against another sporting goods company, Qiaodan Sports Co. He claims the company is using his Chinese name and jersey number without authorization.

Ultimately, the Lin story reminds us that success on the court will only get you so far in the business world. Therefore, it is important for athletes and other sports professionals to have a trusted sports attorney looking out for their best interests.