

XIV. TRADEMARKS/DOMAIN NAMES

A. CASE LAW

1. U.S. District Courts

- a. *Rosetta Stone Ltd. v. Google Inc.*
80 BNA's PTCJ 512 and 514**

The U.S. District Court for the Eastern District of Virginia on August 3, 2010 and August 2, 2010, respectively dismissed Rosetta Stone's unjust enrichment claim challenging Google's AdWords and ruled that Google prevailed in AdWords infringement case under keyword "functionality" doctrine.

XV. TRADEMARKS/PERSONAL JURISDICTION

A. CASE LAW

1. U.S. Courts of Appeal

- a. *UBID Inc. v. GoDaddy Group Inc.*
80 BNA's PTCJ 761**

The U.S. Court of Appeals for the Seventh Circuit ruled on September 29, 2010 that domain name registrar GoDaddy.com's extensive online marketing efforts in Illinois sufficed to establish specific personal jurisdiction over it there in a cybersquatting action.

- b. *Mobile Anesthesiologists Chicago LLC v. Anesthesia Associates of Houston Metroplex PA*
96 USPQ2d 1921**

The U.S. Court of Appeals for the Seventh Circuit ruled on October 1, 2010 that defendant Texas-based professional association, which provides on-site anesthesiology services, does not have minimum contacts with Illinois sufficient to justify exercise of specific personal jurisdiction by Illinois federal court in cybersquatting action; defendant's operation of website accessible to Illinois residents, with domain name similar to plaintiff's "Mobile Anesthesiologists" mark, does not constitute action "expressly aimed" at forum state with intent to harm.

- c. *be2 LLC v. Ivanov*
82 BNA's PTCJ 21**

The U.S. Court of Appeals for the Seventh Circuit ruled on April 27, 2011 there was no personal jurisdiction in matchmaking website case as man did not target Illinois.

XVI. TRADEMARKS/TRADE DRESS

A. CASE LAW

1. U.S. District Courts

- a. *Jumpitz Corp. v. Viacom International Inc.*
97 USPQ2d 2002**

The U.S. District Court for the Southern District of California on August 13, 2010 denied plaintiff summary judgment on counterclaim alleging that shooting-star graphic on plaintiff's website infringes defendant's trade dress rights in its orange "splat" graphic for children's television programming services; however, plaintiff is granted summary judgment on counterclaim alleging infringement of defendant's trade dress rights in "visual system" for its website, since defendant has not shown that visual system is non-functional.