



Ladies, Lipstick & Litigation: Are Diamonds Forever?

https://www.youtube.com/watch?v=pKH-q_xj0LA

A gift or purchase of diamond jewelry is a special occasion - but don't you want to know who you're buying it from? In the third installment of *Ladies, Lipstick & Litigation*, Jeunesse Rutledge and Heidi Thole review two more trademark cases, this time related to the diamond industry. First, Jeunesse discusses the ongoing lawsuit of *Tiffany and Company v. Costco Wholesale Corporation* in which Tiffany & Co. originally filed a trademark infringement and counterfeiting suit due to Costco's sale of diamond engagement rings that contained the word "Tiffany." Heidi then details a trademark case between *Bruce Winston and the company of his late father, Harry Winston Inc.*, in which the younger Winston was attempting to both register his own name and cancel Harry Winston's trademarks.

Trademarks are symbols or signs that tell you the source of goods and services. Trademarks can be colors, sounds, and even smells, but they must be "distinctive;" i.e., they indicate the source of the goods or services. As demonstrated in these cases, famous brands have many different types of trademarks that they can use as a sword and shield to protect their brands (Tiffany's name and Tiffany's blue, for example). However, you do not need to be famous to be creative in protecting the various types of your trademarks or intellectual property.

If you have questions about whether or not your idea or product qualifies for a distinctive trademark, please contact Jeunesse Rutledge, [Heidi Thole](#) or your Reinhart attorney.

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POSTED:

Nov 17, 2020

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