



Andrea Anderson

Partner
303.473.2861
Boulder
aanderson@hollandhart.com

Supreme Court's New Profits Awards Standard Unlikely to Affect Trademark Litigation Strategy

Publication — 05/06/2020

Republished with permission, originally appeared in Thomson Reuters Westlaw Journal Intellectual Property on May 6, 2020.

In Romag Fasteners Inc. v. Fossil Inc., No. 18-1233, 2020 WL 1942012 (U.S. Apr. 23, 2020), the U.S. Supreme Court held that, in a trademark infringement suit, a finding of willful infringement is not a prerequisite to an award of the infringer's profits, pursuant to Section 35(a) of the Lanham Act, 15 U.S.C.A. § 1117(a). This article considers how to use nonjudicial settlement agreements in connection with trust administration, estate planning, and related disputes.

Andrea Anderson is a partner in Holland & Hart's intellectual property group in Boulder, Colorado. She provides strategic counsel to large brands worldwide and assists clients with all aspects of brand creation and protection.

Please click [here](#) to read the full article: [Supreme Court's new profits awards standard unlikely to affect trademark litigation strategy](#).