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# Satan Shoes: Trademark Blasphemy or Free Speech?

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"For Nike's part, given the public protest, its aggressive response made sense. But so, too, did its ultimate decision to settle for a voluntary rather than a mandatory recall.... [F]orcing a mandatory recall was unlikely to increase Nike's popularity among the adoring sneakerheads who paid over \$1,000 to purchase the collectible Satan Shoes."

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Following the quickly-settled trademark dispute Nike filed against Brooklyn art collective MSCHF Product Studio, Inc. over the release of Lil Nas X's "Satan Shoes," Nadya Davis and Amy Tindell explore the merit behind "First Sale" Doctrine and First Amendment defenses to Nike's claims of trademark infringement, trademark dilution, false designation of origin, and unfair competition.

In addition to the analysis of these arguments and their rebuttals, the article draws attention to the equally important public controversy and settlement that resulted in a voluntary recall of the sneakers, allowing Nike to protect its brand without alienating its customer base.

Please click [here](#) to read the full article: Satan Shoes: Trademark Blasphemy or Free Speech?

## **About the Authors:**

Nadya Davis is a partner with Holland & Hart who focuses her practice on assisting local and international brand owners with all aspects of prosecution, use, and enforcement of their most valuable intellectual property assets.

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