

Successful Trademark Infringement Defenses Continue for Bovis, Kyle and Burch, LLC

By December 10, 2010

Bovis, Kyle and Burch (BKB) lawyers, including **Wayne Tartline**, recently obtained a very favorable settlement for a Defendant sued for trademark infringement. Mike's Golf Carts, LLC of Eastman, Georgia had been using the "Beast" mark in connection with the marketing and selling of off-road golf carts for almost ten years when it was sued by a South Georgia rival, Golf Cart World, Inc. (*Golf Cart World, Inc. v. Mike's Golf Carts, LLC*; United States District Court, Middle District of Georgia, Macon Division; Case No.: 5:09-CV-386). After receipt of the lawsuit, Mike's Golf Carts, LLC instituted a counterclaim alleging that it was, in fact, Golf Cart World, Inc. that was the infringing party.

Through the discovery process, BKB attorneys uncovered evidence that supported Mike's Golf Carts, LLC being the first to use the word "Beast" in connection with golf cart sales. The evidence developed and the expert testimony adduced in the case led to a very favorable settlement for the Defendant Mike's Golf Carts, LLC. Not only will Mike's Golf Carts, LLC be able to continue sales of its latest product, the "Beast Buggy," a substantial cash payment will be made by the Plaintiff to Mike's Golf Carts, LLC.