

Legal Analytics® for Trademark Litigation

Lex Machina's new Legal Analytics for Trademark Litigation enables attorneys and mark owners for the first time to make data-driven decisions about federal trademark case strategy and tactics. Now you can use quantified insights into the behavior of district court judges, opposing parties, and opposing counsel to gain competitive advantage in trademark litigation.

The Winning Edge

With Legal Analytics you can supplement traditional legal research and reasoning with strategic insights about trends in trademark case timing, resolutions, findings, damages, and remedies. This information can make all the difference in your case.

Lex Machina's trademark data lets you analyze federal cases with one or more claims involving Lanham Act violations, including claims of trademark infringement, trademark dilution, unfair competition, or cybersquatting, including declaratory judgment actions.

Trademark Findings by Judgment Event

Findings	Default Judgment	Consent Judgment	Judgment on the Pleadings	Summary Judgment	Judgment as a Matter of Law	Trial	Any Judgment Event
Lanham Act Violation	2,043	601	8	320	162	11	3,127
No Lanham Act Violation	39	28	16	391	152	14	607
Ownership / Validity	8	85	1	31	44	1	167
No Ownership / Validity	3	3	0	41	25	1	73
Equitable Defense	4	2	0	44	24	3	78
No Equitable Defense	0	4	2	51	36	0	91
Fair Use Defense	0	1	0	13	2	0	16
No Fair Use Defense	0	0	0	9	7	0	16

Gain Strategic Insights

With 57,000+ cases filed since 2000, and over 4,000 new cases filed in 2014, trademark litigation remains a vibrant area of federal law. The 23,000+ cases terminated since 2009 have resulted in over 3,200 findings of Lanham Act violations, over 6,800 permanent injunctions granted, and over \$8 billion in damages awards.

Most active districts include the Central District of California (music, film, and fashion cases), the Southern District of Florida (luxury brands cases) and the Southern District of New York and Northern District of Illinois (major brands and fashion cases).

"With Legal Analytics, companies are better able to understand the other party and craft strong IP strategy."

Ian Ballon, IP Litigator, Greenberg Traurig LLP

Unique Trademark-Specific Data

Case Tags – dilution, false advertising, cybersquatting, trial (bench and jury), appeal, declaratory judgment

Case Timing – median days to grant of permanent injunction, trial, termination

Case Resolutions – judgment resolutions for claimants and claim defendants (default, consent, judgment on the pleadings, summary judgment, trial, JMOL), procedural resolutions (dismissal, consolidation, severance, transfer, stay), likely settlements (plaintiff voluntary dismissal, stipulated dismissal)

Findings – Lanham Act violation, fair use, ownership/validity, equitable defense

Damages – statutory damages (including for willful infringement), trademark owner's actual damages, infringer's profits, corrective advertising, attorneys' fees, costs, prejudgment interest

Remedies – seizure/destruction of goods, termination of mark, relinquish domain name, preliminary injunction, permanent injunction, temporary restraining order