



## DOUMAR LAW GROUP NEWSLETTER

A Periodic Publication Covering Legal Issues of General Interest

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### **ALERT -- Preliminary Injunction Issued in the Trademark Area**

Judge Alexander Williams of the District of Maryland issued a preliminary injunction on April 6, 2005, requiring Diamond Settlement Services, Inc. to change its name, as the name was confusingly similar to the name of our client, Diamond Title Corp.

George Doumar successfully argued the case for Plaintiff Diamond Title. Judge Williams confirmed that in the trademark context, irreparable harm is generally presumed if there is a likelihood of confusion or possible risk to reputation. The judge found the names to be confusingly similar and noted instances of actual confusion.

The defendant claimed to have googled the chosen name prior to its use and not found our client's name. George Doumar argued at an evidentiary hearing on April 4, 2005 that Plaintiff should have looked in the phone book to confirm its name would have run afoul of prior use. Judge Williams agreed.

George Doumar recently filed a trademark infringement action for a Virginia client against a California

company, after which the California company agreed to change its website and logo.

Just because you can register the name with the state as a corporation, does not mean you are in compliance with trademark laws. The Doumar Law Group has expertise in litigating trademark, copyright, and other intellectual property issues.

### **Iraqi Election follow-up**

As a follow-up to our work on Iraqi expatriate voting, we are pleased to note the following preliminary data, which may not be an accurate predictor of future trends:

Pre-Iraqi election U.S./coalition casualty rate, **3.75** per day (11/1/04-1/31/05);  
Post-Iraqi election U.S./coalition casualty rate, **1.59** per day (2/1/05-4/12/05). Source:  
<http://icasualties.org/oif/>

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