

James Kosa provides comment to *Toronto Star* on trademark lawsuit

July 3, 2019

Partner James Kosa spoke with the *Toronto Star* about Muskoka Brewery's recent claim against Molson Coors.

Muskoka Brewery sued Molson Coors on June 20, 2019 for using an image of Muskoka chairs on its promotional T-shirts. Muskoka Brewery is seeking the destruction of the T-shirts, the value of damages to Muskoka's brand, and any profits that resulted in the T-shirts use. Muskoka Brewery alleges, among other things, that the use of the image of the Muskoka chair can confuse consumers as to the source of the T-shirts and skew the perception of their brand.

When asked whether cases like this often settle, James commented that, although it is for the courts to decide the validity of this case, in general, there are many considerations to take into account when settling a lawsuit, and the strength of the legal claims is only one aspect.

"There can be reputational damage to suing. There can be reputational damage to being sued. And also, litigation can be expensive. Sometimes it's just a better idea to settle, and put that money toward marketing."

Click here to read the full article at thestar.com.

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