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Shumaker Trademark Litigation Win Named Number Five in Top 10 Trademark Rulings of 2019

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Christina Davidson Trimmer
S. Alex Long, Jr.

MEDIA CONTACT

Wendy M. Byrne
wbyrne@shumaker.com

CHARLOTTE, NC – Shumaker, Loop & Kendrick, LLP's Charlotte Intellectual Property Litigation team has earned a place of distinction for the year in *Law360's*, "Top 10 Trademark Rulings Of 2019."

Shumaker's victory in 'Variety Stores vs. Walmart' is listed number five in *Law360's* Top 10 Trademark Rulings of 2019. Shumaker's Charlotte Intellectual Property Litigation team, on behalf of its client Variety Stores, Inc., won a \$95 million jury verdict of willful trademark infringement against Walmart Stores, Inc. for its infringing use of Variety's "Backyard" trademark for barbecue grills and accessories.

Variety Stores Inc. sued Walmart for selling infringing "Backyard" branded products in 2014. Variety has been using its registered trademark since 1993. The verdict which included both an award of profits and Variety's damages, came after the same jurors found Walmart had willfully infringed the trademark.

Following the jury's verdict on damages, the district court judge ordered Walmart to pay \$4.1 million in attorneys' fees and costs incurred by Variety.

Variety is represented by Shumaker lawyers, W. Thad Adams, III, Samuel "Alex" Long, and Christina Davidson Trimmer. The case is *Variety Stores, Inc. v. Wal-Mart Stores, Inc.*, case number 5:14-cv-00217, in the U.S. District Court for the Eastern District of North Carolina Western Division.

View full article here: [Top 10 Trademark Rulings of 2019 Law360](#)

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