

LEGAL MEMO

DATE: October 20, 2013

TO: Nimia.com

FROM: Eric J. Harrison, Esq.

SUBJECT: Trademark Infringement in Videos

TRADEMARK INFRINGEMENT IN VIDEOS

This memo addresses whether, and under what context, an unpermitted use of a trademark in a stock video necessarily leads to a finding of trademark infringement or trademark dilution. This question is important for two reasons. First, content producers are currently spending¹ large sums of money to clear rights to every product that appears in their production.² They do this because it is cheaper to clear the rights to the product than it is to fight a future trademark infringement case.³ Second, small independent content producers are forced to expend time and energy removing products appearing in

¹ See generally, JOY BUTLER, THE PERMISSION SEEKER'S GUIDE THROUGH THE LEGAL

² As a practical matter, however, industry custom, insurance requirements, and fear of trademark litigation have combined to create a "clearance culture" that forces creators to seek permission for the use of marks. This increases transaction costs and leads, ultimately, to stifled creativity and chilled speech.

³ Average litigation costs for a trademark infringement lawsuit is \$600,000.00. Report of Economic Survey published by the American Intellectual Property Lawyers Association. Other risks to trademark litigation include possible injunction. Potential claims include tarnishment, dilution, unfair competition, product disparagement, and false endorsement under the Lanham Act, among others.

Family Law Memo Papers

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Family Law Memo Papers:

Die Vermögensauseinandersetzung nach der Ehescheidung im englischen Recht und ihre Behandlung im deutschen internationalen Privatrecht, insbesondere die Qualifikation Aiga Horstmann, 2001 **Family Law** Joanna Miles, Rob George, Sonia Harris-Short, 2019 Placing key judgments and expert commentary at your fingertips Family Law Text Cases and Materials presents everything the undergraduate student needs in one volume Drawing on their extensive experience the authors offer a detailed and authoritative exposition of family law illustrated by materials carefully selected from a wide range of sources The book has two principal aims to provide readers with a thorough understanding of the law relating to the family and to stimulate critical reflection on that law Readers are encouraged to consider how and why the law has developed as it has what policies it is seeking to pursue whether it achieves the right balance between the rights and interests of individual family members and the wider public interest and how it operates in practice Online Resources The text is supported by substantial online resources which features regular updates on the law further reading suggestions and revision questions to accompany each chapter Parliamentary Papers Great Britain. Parliament. House of Commons, 1983

Heimat als Rechtsbegriff? Michael Kränzle, 2014-11-07 Long description Michael Kränzle untersucht den gewöhnlichen Aufenthalt den zentralen objektiven Anknüpfungspunkt der neuen EU Erbrechtsverordnung und entwickelt rechtsvergleichend ein eigenständiges kontextspezifisches Begriffsverständnis Dabei werden zahlreiche Problemfälle diskutiert und einer Lösung zugeführt **Family Law** Sonia Harris-Short, Joanna Miles, Rob George, Robert Henry George, 2015 Family Law Text Cases and Materials presents everything the undergraduate student needs in one volume The authors offer a detailed and authoritative exposition of family law illustrated by materials carefully selected from a wide range of sources **Working Papers of the National Task Force to Develop Standards and Goals for Juvenile Justice and Delinquency Prevention** National Task Force to Develop Standards and Goals for Juvenile Justice and Delinquency Prevention (U.S.), 1977 **Divorce, American Style** Suzanne Kahn, 2021-05-28 In the 1970s the divorce rate in the United States doubled and longtime homemakers suddenly found themselves at risk of poverty not only because their husband's job was their sole source of income but also because their insurance retirement and credit worthiness were all tied to their spouse's employment Divorce American Style examines how newly divorced women and policymakers responded to the crisis that rising divorce rates created for American society Suzanne Kahn shows that ironically rising divorce rates led to policies that actually strengthened the social insurance system's use of marriage to determine eligibility for benefits Large numbers of newly divorced women quickly realized their invisibility within the American welfare state which did not distribute benefits to most women directly but rather through their husbands These newly divorced women organized themselves into a political force and they were remarkably successful in securing legislation designed to address divorced women's needs But this required significant compromise with policymakers and these new laws specifically rewarded intact

marriages providing more robust benefits to women in longer marriages These incentives remain in place today Indeed in the thirty years since this legislative compromise activists efforts to grapple with the legal system created out of this crisis have affected such high profile debates as the fight over the Affordable Care Act and the battle for marriage equality Divorce American Style contests the frequent claim that marriage has become a more flexible legal status over time Enduring ideas about marriage and the family continue to have a powerful effect on the structure of a wide range of social programs in the United States

Law in Society: Reflections on Children, Family, Culture and Philosophy Alison Diduck, Noam Peleg, Helen Reece, 2015-08-24 This collection written by legal scholars from around the world offers insights into a variety of topics from children's rights to criminal law jurisprudence medical ethics and more Its breadth reflects the fact that these are all elements of what can broadly be called law and society that enterprise that is interested in law's place or influence in different aspects of real lives and understands law to be simultaneously symbol philosophy and action It is also testament to the broad range of vision of Professor Michael Freeman in whose honour the volume was conceived The contributions are divided into categories which reflect his distinguished career and publications over 85 books and countless articles including pioneering work on children's rights domestic violence religious law jurisprudence law and culture family law and medicine ethics and the law as well as his enduring commitment to interdisciplinarity The volume begins with work on law in its philosophical cultural or symbolic realm Part I Law and Stories Culture Religion and Philosophy including its commitment to the normative ideal of rights Part II Law and Rights and then offers work on law as coercive state action Part III Law and the Coercive State and as regulator of personal relationships Part IV Law and Personal Living It continues with reflections on the importance of globalisation both of law and of doing family in personal and public life Part V Law and International Living before closing with two reflections on Michael Freeman's body of work generally including one from Michael himself Part VI Law and Michael Freeman

Marital Privilege Serena Mayeri, 2025-07-08 How the privileged legal status of marriage survived decades of constitutional struggle and social change The United States is unusual among wealthy western nations in the degree to which the law channels public benefits and private economic resources through marriage This remains so despite seismic changes in American family life in the last several decades of the twentieth century During this period marriage rates declined while divorce and nonmarital childbearing soared Social movements for racial and economic justice women's and gay rights and liberation civil liberties and reproductive freedom transformed the legal landscape In *Marital Privilege* Serena Mayeri tells the stories of parents and partners and activists and lawyers who challenged the legal primacy of marriage They made innovative constitutional claims in courts and launched grassroots efforts to change laws and practices that penalized nonmarital relationships But even though reforms eliminated the most visible discrimination against women people of color and children born to unmarried parents and eventually against gay and lesbian Americans marriage's privileged status endured Because marriage increasingly correlated with education and wealth marital primacy intensified

racial and economic inequality Marital Privilege explains how as American law selectively incorporated principles of liberty and equality the benefits of marriage became increasingly unavailable to those who needed them most

Memorandum of Findings on Existing Custom Or Law, Fact and Opinion ,1977 **Documents** Council of Europe: Parliamentary Assembly,2003-01-28 Government Publications Great Britain. Her Majesty's Stationery Office,1973 **Family Law, Gender and the State** Alison Diduck,Felicity Kaganas,2012-02-07

The third edition of this work on family law comprising text cases and materials provides not only an explication of legal principle but also explores primarily from a feminist perspective some of the assumptions about and constructions of gender sexual orientation class and culture that underlie the law It examines the ideology of the family and in particular the role of the law in contributing to and reproducing that ideology Structured around the themes of equality welfare and family privacy the book aims to offer the benefits of a textbook while also giving students a wide ranging set of materials for classroom discussion As well as providing a firm grounding in family law the text sets the law in its social and historical context and encourages a critical approach by students to the subject It provides an ideal introduction to family law for undergraduates but will be equally helpful for postgraduate students of family law for whom it provides a challenging selection of materials set within a theoretical framework rich in ideas and arguments Review of the second edition Diduck and Kaganas examine legal developments to shed light on society principally by investigating the ways in which family law constructs and regulates family life and responsibilities Theirs is an important and ambitious book that aims ultimately at a feminist restatement of family law T he book is written and referenced in such depth that it is a useful resource for legal as well as social science researchers at all levels whether looking for theoretical inspiration or drawing up a literature review The range of diverse sources that Diduck and Kaganas draw on is impressive they seem to have included every bit of material that helps feminists make sense of family law There is a well pitched selection of further reading of such material at the end of each chapter What s more they undersell themselves by describing their book as Text Cases and Materials because they have woven by far the largest proportion of the cases and materials into the text Helen Reece Times Higher Education May 2007 Reviews of first edition A stimulating work which attempts to situate family law in its social historical and political context Its appeal should not be confined to family law students as its commitment to a critical and analytical approach offers insights and ideas with broader significance Mary Childs Child and Family Law Quarterly September 2002 The arguments are provocative the analysis is stimulating and the materials amassed strongly support the authors aim to question the axiomatic status of what is traditionally designated as the family Fiona E Raitt Infant and Child Development September 2002 It is not often that one can say of a textbook in Law that it makes interesting reading with quite the enthusiasm that can be expressed for this text This new publication offers something that few textbooks seem to offer a book you CAN open up virtually anywhere and find an interesting piece on almost any aspect of the broad family law spectrum Penny Booth The Law Teacher September 2002 All

the major themes in feminist and constructionist perspectives in family law are presented together with a wealth of readings and extensive references As a teaching manual it is excellent a coherent feminist perspective across the entire range of family law Marty Slaughter Feminist Legal Studies July 2003 **Legal Protection of Vulnerable Groups in Lithuania, Latvia, Estonia and Poland** Agnė Limantė, Dovilė Pūraitė-Andrikienė, 2022-08-27 This book analyses the current legal situation and protection of vulnerable groups in Lithuania Latvia Estonia and Poland In recent decades national legislation in many European states has especially focused on vulnerable groups with the aim of securing their enhanced protection and social inclusion This trend is also noticeable in North Eastern Europe where the legal frameworks are constantly being revised to address the needs of vulnerable parts of society including women children the elderly people with disabilities and minorities as well as prisoners and victims of crime But despite these positive changes many challenges persist In this book the authors provide a comprehensive comparative analysis of legal regulations and practices intended to protect vulnerable groups in Lithuania Latvia Estonia and Poland and in the process share insights into the current situation and trends in this often overlooked region Part I introduces readers to the topic by defining the concept of vulnerable groups and elaborating on its understanding in the European and national contexts Part II analyses the legal protection of groups characterised by inherent and or circumstantial vulnerability while Part III addresses specific crime related vulnerability issues in the target region In closing Part IV puts the spotlight on three specific vulnerable groups in the discussed countries *na* ,

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations for 1984: Legal Services Corporation United States. Congress. House. Committee on Appropriations. Subcommittee on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, 1983 European Human Rights and Family Law Shazia Choudhry, Jonathan Herring, 2010-04-27 This book examines the potential impact of human rights in the way the law interacts with families Traditionally family law has been dominated by consequentialist utilitarian themes The most notable example of this occurs in the law relating to children and the employment of the welfare principle This requires the court to focus on the welfare of the child as the paramount consideration Hitherto the courts and to a certain extent family law academics have firmly rejected the use of the language of rights preferring the discretion and child centred focus of welfare However the incorporation of the European Convention on Human Rights via the Human Rights Act now requires family law to deal more clearly with the competing rights that family members can hold In addition it is clear that to date the courts have largely ignored or minimised the different demands that the HRA imposes on the judiciary and in particular judicial reasoning This book challenges that view and suggests ways in which the family courts may improve their reasoning in this field No longer can cases be dealt with on the basis of a simple utilitarian calculation of what is in the best interests of the child and other family members greater transparency is required The book clarifies the different rights that family members can hold and in particular identifies ways in which it may be possible to deal with the clash of rights between family members that will

inevitably occur Whether this requires an abandonment of the utilitarian nature of family law or a reworking of it is a theme that runs throughout the book

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations for 1984 United States. Congress. House. Committee on Appropriations. Subcommittee on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies,1983

Family Law Rob George,Joanna Miles,Sharon Thompson,2023-07-13 An unrivalled collection placing key judgments and expert commentary at your fingertips Family Law Text Cases and Materials presents everything the undergraduate student needs in one volume The authors offer a detailed and authoritative exposition of family law illustrated by materials carefully selected from a wide range of sources Key features Combines a wide range of cases and materials with insightful explanation commentary and analysis creating a complete resource for students of family law Features authoritative author commentary which engages with a range of theoretical and critical perspectives Accompanying online resources provide regular updates on recent developments in family law further reading suggestions questions and additional legal coverage Also available as an e book with functionality navigation features and links that offer extra learning support New to this edition Developments including the Domestic Abuse Act 2021 Divorce Dissolution and Separation Act 2020 and the advent of mixed sex civil partnership Consideration of the Law Commission s proposed reform of weddings law particularly in relation to non qualifying ceremonies A revised analysis of the Gillick competence and children s autonomy rights in light of recent case law Updated case law including HM Attorney General v Akhter and Khan 2020 Guest v Guest 2022 Bell v Tavistock and Portman NHS Trust 2021 and Re H W Care Proceedings 2022 Digital formats and resources The fifth edition is available for students and institutions to purchase in a variety of formats and is supported by online resources The e book offers a mobile experience and convenient access along with functionality tools navigation features and links that offer extra learning support www.oxfordtextbooks.co.uk/ebooks The online resources that support the book include regular updates on the law further reading suggestions and questions for students to consider

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