

In The News

Ira Sacks Discusses Supreme Court Trademark Tacking Ruling with *Law360*

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In a *Law360* article titled, “Lawyers Weigh In on High Court Trademark Tacking Ruling,” Ira Sacks described the significance of the Supreme Court ruling in *Hana Financial Inc. v. Hana Bank*, which decided that tacking should be dealt with by juries.

“The court’s *Hana* decision is significant for several reasons. First, tacking is an important issue that will now bring into play competing experts and summary judgment factual disputes, rather than merely legal argument, with a concomitant increase in trials on tacking issues. In addition, the decision will likely be argued to apply to other mixed questions of fact and law in Lanham Act cases, such as likelihood of confusion. Finally, read together with yesterday’s *Teva* decision, the court seems to be emphasizing jury fact finding on ultimate and subsidiary fact questions in IP cases,” Sacks told *Law360*.

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