

Patent case: Yellowfin Yachts, Inc. v. Barker Boatworks, LLC, USA

Kluwer Patent Blog
August 24, 2018

Cheryl Beise (Wolters Kluwer Legal & Regulatory US)

Please refer to this post as: Cheryl Beise, 'Patent case: Yellowfin Yachts, Inc. v. Barker Boatworks, LLC, USA', Kluwer Patent Blog, August 24, 2018, <http://patentblog.kluweriplaw.com/2018/08/24/usa-yellowfin-yachts-inc-v-barker-boatworks-llc-usc-courts-appeals-eleventh-circuit-no-17-11176-07-august-2018/>

The federal district court in Tampa did not err in deciding on summary judgment that fishing boat manufacturer Yellowfin Yachts failed to establish that a former executive and his company were liable for trade dress infringement, unfair competition, or trade secret misappropriation, the U.S. Court of Appeals in Atlanta has held, affirming summary judgment in favor of the defendants. In view of the weakness of Yellowfin's "sweeping sheer line" trade dress, the sophistication of purchasers, and the absence of actual confusion, no reasonable jury could find a likelihood of post-sale confusion between the center-console fishing boats manufactured by Yellowfin and those manufactured by defendant Barker Boatworks. In addition, no reasonable jury could find that Yellowfin's supplier or customer information qualified as trade secrets under Florida law. Yellowfin failed to employ reasonable efforts to secure its customer information and the identities of its suppliers were known and the pricing they offered had no economic value for a new manufacturer and (Yellowfin Yachts, Inc. v. Barker Boatworks, LLC, August 7, 2018, Tjoflat, J.).

Case date: 07 August 2018

Case number: No. 17-11176

Court: United States Court of Appeals, Eleventh Circuit

A full summary of this case has been published on [Kluwer IP Law](#).