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Trademark Lawsuit dismissed against Cofbel Corporation

Los Angeles federal court throws out trademark lawsuit on the eve of trial.

Los Angeles, July 31, 2004: On July 31, 2004, United States District Court Judge Wm. Mathew Byrne, Jr. granted a motion for summary judgment filed by Cofbel Corporation in a trademark dispute lawsuit filed by Cyclone USA. Cyclone USA, former distributor of the Tornado – an air flow system for internal combustion engines – alleged that Cofbel, in addition to the original inventor and current distributor of the Tornado, violated Cyclone USA's trademark and trade names. In his written decision, Judge Byrne dismissed all remaining claims in the suit based on the fact that Cyclone's failed to show any conspiracy attributable to Cofbel, or any damages caused by Cofbel's conduct. Trial is currently scheduled for August 2004.

Previously, October 6, 2003, the Court dismissed all of Cyclone's intellectual property and unfair competition claims Cyclone alleged against Cofbel. In that decision, Judge Byrne recognized that trademark and unfair competition claims require "actual use" as opposed to "intent to use." The remaining four claims were dismissed today.

"We are pleased that Judge Byrne saw this suit against Cofbel for what it was – baseless," said Anthony Luti of the Luti Law Firm, the Hollywood based litigation boutique that represented Cofbel. "Cofbel is thankful that it has been vindicated in light of these spurious allegations. Finally, the company can put this lawsuit behind it."

Mr. Luti is available to comment on this matter and can be reached at (323) 960-2600. A copy of the court's order can be provided upon request.

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