

## **United States – Welcome to the Dollhouse-Barbie v. Bratz – The Saga Continues . . .**

As previously reported in the INTA Bulletin, in the case of Mattel, Inc. v. MGA Entertainment, Inc. et al, a judge for the U.S. District Court for the Central District of California (Riverside) ordered MGA Entertainment, Inc. to stop selling, manufacturing, advertising or licensing its line of Bratz dolls or any other product with the Bratz name and banned MGA from using the Bratz name. The court also ordered all Bratz dolls and materials used to make the dolls to be recalled. This ruling was stayed, which in effect allowed retailers to sell the Bratz dolls through the 2008 end-of-year holidays.

On January 7, 2009, a federal judge ruled that the Bratz dolls could remain on store shelves throughout the year. However, the judge left open the possibility that the sales of the Bratz dolls could later be shifted from MGA to Mattel or a court-appointed receiver.

On April 27, 2009, the judge lifted the stay on his previous ruling that barred MGA from making and selling the Bratz dolls, and confirmed that the Bratz dolls were the property of Mattel. Not surprisingly, and per his statement in the January 7, 2009 ruling, the judge appointed a temporary receiver to oversee the Bratz dolls business, effectively forcing MGA to hand over the Bratz business to a receiver. On May 21, the judge appointed a monitor to replace the temporary receiver and lifted a stay that had prevented MGA from filing for bankruptcy.

Also in April, the judge upheld the jury award of \$100 Million in damages, stating that “(t)he jury’s verdict of \$100 million is well within the range of possible awards based on the evidence of record, and therefore the Court must leave it undisturbed”.

MGA is seeking an expedited appeal of this decision.

Stay tuned again . . .

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