



Press release dated June 21, 2017

BARDEHLE PAGENBERG successfully defends adidas in preliminary injunction proceedings regarding an attack by Puma against the latest version of the iconic “Stan Smith” sneakers

After an oral hearing of more than three hours before the Regional Court of Braunschweig on June 19, 2017, Puma withdrew the request for the grant of a preliminary injunction upon the recommendation of the Presiding Judge of the 9th Civil Chamber.

On April 20, 2017, Puma submitted a request for the grant of a preliminary injunction, attacking the distribution of the shoe model “Stan Smith Boost”, i.e. against the latest version of the classic sneakers from the sixties. The request was based on the allegation that the sole of the “Stan Smith Boost” infringed two of Puma’s Community designs. On account of the protective letter submitted by BP on behalf of adidas AG, the Regional Court of Braunschweig, however, did not comply with Puma’s request for an immediate grant of an injunction, but scheduled an oral hearing first. After a detailed discussion of the parties’ arguments, the Presiding Judge stated that in the Chamber’s view, the “Stan Smith Boost” model does not infringe Puma’s two Community designs. Thus, Puma adopted the Presiding Judge’s proposal of withdrawing the request for a preliminary injunction, but will have to bear the costs of the proceedings nonetheless.

The present litigation is one of a range of legal disputes between Puma and adidas as well as between Puma and BASF SE, in which these Community designs or the Boost shoe sole design and the Boost technology were at issue. On the whole, Puma has taken legal steps against seven different Boost shoe models of adidas so far, yet remained unsuccessful in all of these cases.

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Representatives of BASF SE (Intervener on the side of adidas):

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Representatives of Puma SE: Law Firm Göhmann

Dr. Maximilian Schunke (Attorney-at-Law)

Neil Narriman (in-house)

Regional Court of Braunschweig, 9th Civil Chamber:

Presiding Judge Dr. Meyer

BARDEHLE PAGENBERG combines the professional expertise of attorneys-at-law, patent attorneys, professional representatives before the European Patent Office, specialized trademark lawyers and qualified technical consultants. Our consulting services are tailored to our clients' particular requirements and the specific circumstances of each case.

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