



Intellectual Property Briefing

Nike SHOX Adidas with patent claim

Nike has filed a patent infringement claim against its closest rival Adidas.

Patent Infringement

Nike claims that Adidas' a3 cushioning system infringes Nike's SHOX cushioning system.

Nike has developed the SHOX cushioning system over 16 years and has protected this with 19 or more separate patents. Nike is seeking damages from Adidas as well as an injunction preventing further infringement.

Last week, during the World Shoe Association Show in Las Vegas, Nike also served lawsuits on two other companies it claims are infringing Nike's intellectual property and has commenced proceedings in Shanghai against a former professional soccer player who sold counterfeit trainers on the Internet.

These cases not only highlight the benefits of protecting your inventions and technology but also the need to effectively monitor and enforce your rights in them.

At Berg Legal we can advise on how to identify, protect and exploit your creative endeavours and intellectual property.

To discuss how Berg Legal can assist you with these issues, please contact either Stephen Foster, Head of our Corporate and Commercial Department at stephenf@berg.co.uk or Paul Tomlinson who is a solicitor in the IP team at pault@berg.co.uk. Alternatively you can call Stephen or Paul on 0161 833 9211.

Key recommendations

- Check that you are not likely to infringe anyone else's rights before using or developing new technology or ideas.
- Identify your IP rights from the outset and take steps to protect them.
- Ensure you can identify infringement early on and take appropriate action quickly.

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