
Hoop Culture, Inc. v. The Gap, Inc.

122 F. Supp. 3d 1338 (M.D. Fla. 2015), aff'd, 684 Fed.Appx. 981 (11th Cir. 2016)

Following an evidentiary hearing, on behalf of client The Gap, Inc. and its Old Navy brand, the Firm was successful in defeating a motion for a preliminary injunction brought by plaintiff Hoop Culture, [More](#)

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Following an evidentiary hearing, on behalf of client The Gap, Inc. and its Old Navy brand, the Firm was successful in defeating a motion for a preliminary injunction brought by plaintiff Hoop Culture, Inc. over its alleged EAT...SLEEP...BALL. trademark. The U.S. District Court for the Middle District of Florida held that the plaintiff did not show a substantial likelihood of success on the merits of its claims on either ownership of a valid mark – despite the fact that it had a federal registration – or likelihood of confusion. The Court also held that plaintiff failed to establish the requisite irreparable injury. This decision was affirmed by the U.S. Court of Appeals for the Eleventh Circuit.