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Neal Gerber Eisenberg Secures Trademark Win for Vacation Rental Partners, LLC

On March 28, 2017, Neal Gerber Eisenberg (NGE) obtained summary judgment of trademark infringement for client Vacation Rental Partners, LLC in a case against its competitor VacayStay Connect, LLC (VCS). The NGE team was led by Partner Mike R. Turner, with assistance from Associate Andrea Stein Fuelleman and Partner Michael G. Kelber.

The case involves Vacation Rental Partners' federally-registered VAYSTAYS mark for use in association with rental property management services, asserted against the use of VACAYSTAY CONNECT and VACAYSTAY STOREBUILDER for similar services by VCS. NGE successfully argued that the VAYSTAYS mark had priority, and defended its validity against an unusual challenge that required convincing the Court to go against the rulings of courts in other circuits. Judge Shah of the U.S. District Court for the Northern District of Illinois held that there was a likelihood of confusion between the marks, and granted Vacation Rental Partners' motion for a permanent injunction enjoining VCS from using the VACAYSTAY mark and its derivatives. A status hearing is set for April 12, 2017.

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