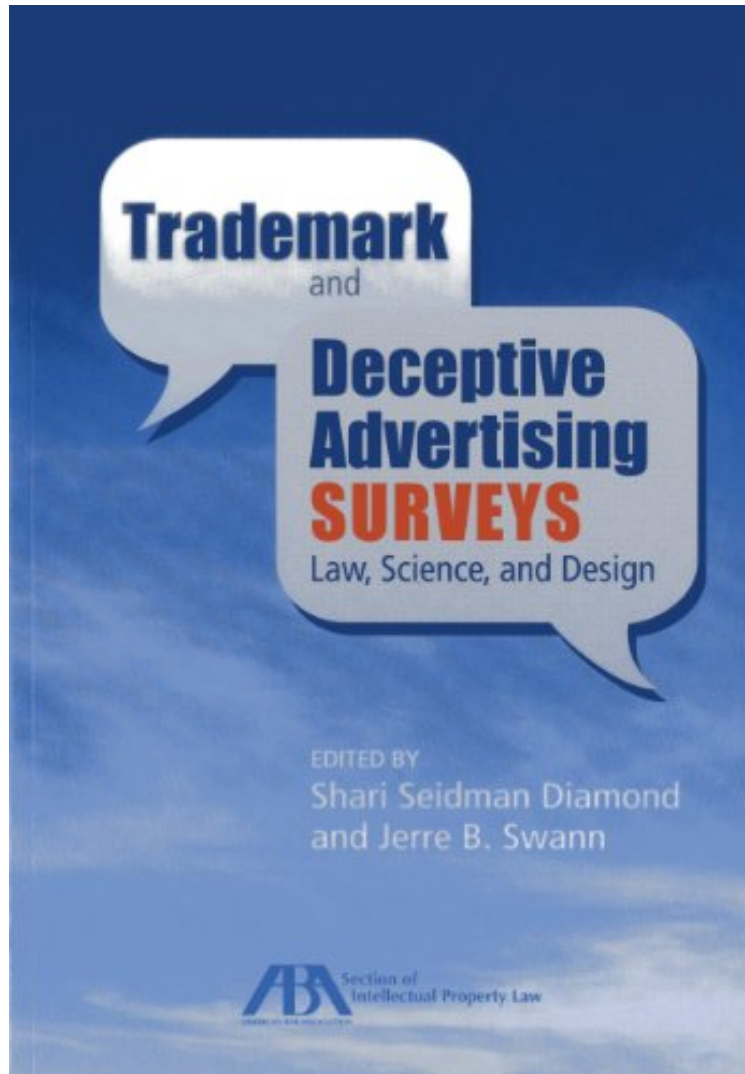


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From American Bar Association : Trademark and Deceptive Advertising Surveys: Law, Science, and Design before purchasing it in order to gage whether or not it would be worth my time, and all praised Trademark and Deceptive Advertising Surveys: Law, Science, and Design:

0 of 0 people found the following review helpful. Five StarsBy CustomerExcellent. Very instructive.1 of 1 people found the following review helpful. Essential for Trademark and Advertising Law ProfessionalsBy Eric GoldmanI read only a couple of books per year. As very long-form scholarship, books usually require big blocks of time to read

(and I rarely have such blocks), and I typically find the payoff isn't worth the time investment. As a result, it's rare that I read a book, rarer when I like a book, and exceptionally rare when I think a book is worth recommending to you. Yet, I can hardly contain my enthusiasm for the 2012 book, "Trademark and Deceptive Advertising Surveys: Law, Science and Design," edited by Shari Seidman Diamond and Jerre B. Swann and published by the ABA's IP Section. It may be the best book I've read in years. Why do I like this book so much? It's the *perfect* legal resource guide. The chapters are written by the leading experts in the field--names you most likely recognize, including William Barber, Jerre Swann, Bruce Keller, Shari Seidman Diamond, Itamar Simonson, Jacob Jacoby and many more. In each chapter, an expert explains how he/she handles an aspect of the consumer survey process and why he/she makes certain professional judgments. It's like having an initial consultation with, or some private coaching from, the leaders in the consumer survey field, except that they aren't billing you by the hour and they give you citations for your deeper investigation if you want. I know I'm a hardcore geek, so my experience may not be representative, but I found this book a page-turner that I couldn't put down. Every page was packed with a golden nugget or two of insight, page after page, chapter after chapter. I'm not exaggerating at all when I say that I found the book gripping. Of course, you won't be able to do consumer surveys on your own just by reading the book (you'll still need to hire an expert), but you'll be able to have a more intelligent discussion with your expert and evaluate and supervise their professional choices better. After reading the book, you should be able to save thousands of dollars in the costs of a consumer survey and increase the likelihood that the \$100k+ you invest in a consumer survey will yield useful results. If you deal with consumer surveys in the trademark or advertising context--which means pretty much every trademark and advertising law professional--this book is a must-have. Unfortunately, the book is priced for professional purchases, not the consumer market. Still, the book will more than pay for itself after your first consumer survey using it. 0 of 0 people found the following review helpful. Intellectual Property Law Section Book By Charles W. Hanor You have to have the 2012 ABA book entitled. Trademark and Deceptive Advertising Surveys: Law, Science, and Design. This is a must have book from the ABA. This book is particularly applicable to members of the Intellectual Property Section.

Surveys have become perhaps the standard form of evidence on consumer perception in cases involving trademarks and deceptive advertising. Yet it is far more difficult to produce a well-designed survey than is commonly understood. Trademark and Deceptive Advertising Surveys offers practical tools for recognizing and appreciating good survey methodology and distinguishing valuable evidence from its counterpart. Focusing on the various issues that trademark surveys address, this compendium discusses a critical design or analysis topic that an attorney who is presenting, defending, or critiquing a survey must deal with. It brings together the viewpoints of academic and legal experts on surveys and survey methodology, combining both theory and practice in a single resource. Using both actual and hypothetical cases, the authors explain how the courts have addressed these issues and offer strategic guidance on how to identify important issues, understand options, and the optimal way the issues should be handled. Topics include the use of surveys in litigation involving trademark and deceptive advertising claims; pilot tests and pretests; selecting the survey universe; various legal questions, ranging from the common issue of likelihood of confusion to secondary meaning, fame and dilution; use of controls, both fundamentals and design issues; responding to survey results; and Internet surveys.

About the Author Shari Seidman Diamond is the Howard J. Trienens Professor of Law and Professor of Psychology at Northwestern University in Chicago and a research professor at the American Bar Foundation. She has published more than 100 articles in behavioral science journals and legal publications and has lectured widely to scholarly and judicial audiences. Professor Diamond has testified in American and Canadian courts on trademark surveys and juries and her publications on surveys and juries have been cited by federal and state courts, including the U.S. Supreme Court. Jerre B. Swann practices intellectual property, antitrust, and trade regulation law at Kilpatrick Townsend in Atlanta. He has served as lead counsel, or special counsel as to survey and expert witness issues, for major brand owners in trademark, false advertising and trade dress actions in judicial districts throughout the United States. He received the INTA President's Award, the Ladas Memorial Award, and the Volunteer Service Award for the Advancement of Trademark Law. He has authored or co-authored more than thirty law review articles and book chapters, and has spoken at more than thirty national and international seminars, on trademark, survey and expert witness subjects.