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Samsung Wins Trademark Trial Over Use of ‘S10’ Name for Phones

By Isaiah Poritz

Samsung Electronics Co. Ltd. convinced a Los Angeles federal jury on Friday that its use of the name “S10” for its long running line of Galaxy S smartphones doesn’t infringe the trademark of a talent management agency called S10.

S10 Entertainment and Media LLC argued that Samsung undertook an advertising campaign for the Galaxy S10 line that targeted the music industry and caused consumers to incorrectly believe that the two brands are associated.

The complaint filed in 2021 in the Central District of California said Samsung’s use of the trademark caused “reverse confusion,” a case where Samsung—a junior user of the trademark—used its greater market power to swamp S10—the senior user of the trademark with comparatively little market power.

S10 had sought \$243 million.

“We are disappointed in the outcome as we believe we had a solid case, but we are grateful to the judge and jury for their service,” said Nancy Sterling, a spokesperson for S10’s lawfirm Mintz Levin Cohn Ferris Glovsky & Popeo PC.

Following the Galaxy S10 release in 2019, music executives asked S10 numerous times about the talent agency’s “partnership” with Samsung, the complaint said.

S10 first began using the trademark in 2017, but Samsung argued that its use of the S10 name falls within a family of trademarks for the Galaxy S series that Samsung has used.

Samsung on Thursday filed a motion for a judgment as a matter of law, arguing that “Samsung’s Galaxy S10 smartphones and S10 Entertainment’s services are unrelated” and no reasonable juror could find otherwise.

US District Judge Christina Snyder denied both parties' motions for summary judgment in February, finding that more evidence was needed to determine whether the S10 trademark fell within Samsung's family of trademarks.

Faegre Drinker Biddle & Reath LLP represents Samsung.

The case is S10 Entertainment and Media LLC v. Samsung Electronics Co. Ltd. , C.D. Cal., No. 2:21-cv-02443, verdict 3/17/23 .

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