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# Trademark Licensing

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## The Greek Freak Flexes His Trademark Muscles

NBA superstar and reigning NBA MVP Giannis Antetokounmpo recently filed a series of trademark infringement lawsuits in the Southern District of New York against online retailers and their operators. In the lawsuits, Antetokounmpo claims that the retailers were selling merchandise bearing his nickname—the Greek Freak—along with his likeness.

Over the past several years, as Antetokounmpo rose to NBA stardom, he began building a brand, with himself as the centerpiece. Antetokounmpo, who was born in Greece, filed for, and obtained, a trademark for GREEK FREAK, and began selling merchandise bearing that mark and his likeness. In the recent complaints he filed, he claims to have sold “tens of thousands of dollars” of product bearing the GREEK FREAK mark and has licensed his “name/nickname and/or likeness to various brands and campaigns.” He has also sought to register a variation of the mark, GREEK FR34K, which replaces the “ea” in Freak with 34, his jersey number for the

Milwaukee Bucks. That mark has been approved for registration and, with no oppositions having been filed, will likely be registered soon.

The current S.D.N.Y. lawsuits—*Antetokounmpo v. Hill et al.*, (No. 1:20-cv-3530); *Antetokounmpo v. Dickson*, (No. 1:20-cv-3572); *Antetokounmpo v. Dimoulis*, (No. 1:20-cv-3575); *Antetokounmpo v. SportsMarketUSA Corp. et al.*, (No. 1:20-cv-3615); *Antetokounmpo v. Jones et al.*, (No. 1:20-cv-3669); *Antetokounmpo v. Settleman et al.*, (No. 1:20-cv-3670); and *Giannis Antetokounmpo v. Steve Jones; Katherine B Jones* (No. 1:20 cv 4010); and *Giannis Antetokounmpo v. Bryant Yarborough dba Bonafide Icon* (No. 1:20 cv 4060)—all make the same fundamental allegations: the defendants were selling merchandise online bearing Antetokounmpo’s name, nickname and/or likeness and they refused to cooperate after receiving cease and desist letters from Antetokounmpo.

In addition to bringing infringement and related claims under the Lanham Act, Antetokounmpo alleged several state law claims (in total, each complaint contains 13 causes of action) and seeks both injunctive relief and monetary damages. None of the defendants has answered yet, and

it will be interesting to see how they attempt to justify their conduct and otherwise respond to the allegations.

The recent lawsuits are not the first lawsuits Antetokounmpo has filed to protect his rights. Last year, he filed a similar trademark infringement lawsuit against an artist (*Antetokounmpo v. Bhogal*, No. 19-cv-6304) who was selling clothing bearing the GREEK FREAK mark and using GREEK FREAK as the name of a clothing collection. That case settled late last year, about a month after it was filed, and before the defendant answered. Similarly, earlier this year, Antetokounmpo filed another trademark infringement case, this time against a company selling mobile phone cases containing his GREEK FREAK mark (*Antetokounmpo v. Sportz Cases, LLC*, 20-cv-1392). That case appears to have settled, as well, as it was voluntarily dismissed earlier this year.

One takeaway from all the lawsuits that he has filed: Antetokounmpo defends his trademark rights as aggressively as he defends his opponents on the basketball court.

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