

Coke v koke writing assignment



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In the case of Coca-Cola Company v. Coke Company of America, Coca-Cola claimed trademark infringement and unfair competition due to Coke's use of the words "Coke" and "Dope" in its competitor sodas. By this point in time, Coca-Cola's sodas were becoming a household name, and you could find Coke in nearly every home and business. Coke had become a very popular term, and was commonly linked to the soda, despite its typical representation of cocaine. Coca-Cola argued that Coke was too similar and led to consumer confusion.

In the end of the legal dispute, the courts agreed. Especially during a time of radio advertisements and word-of-mouth discussions, the spelling differences between Coke and Coke could not be distinguished verbally. The courts enjoined the use of the word Coke for beverage company products. However, Dope was not given this same restriction. Dope was not nearly as commonplace to refer to Coca-Cola's soda, and was equally a reference to anything besides the beverage.

The word dope was not seen as similar or popular enough to cause consumer confusion, and was therefore left out of the court action. Coca-Cola once contained trace amounts of cocaine and other such ingredients in its soda, but this was eliminated from the beverage early on. Coca-Cola also made it a point to advertise that cocaine was no longer an ingredient in Coke. Because Coca-Cola did once contain those ingredients, their representation of such, though outdated, was not considered fraudulent.

In the end, regardless of Coca-Cola's formulation, the courts decided that Coke the beverage and cocaine the drug were very clearly distinct from one

another. There was no customer confusion regarding whether or not they were consuming soda or drugs. In general, consumers did not seem to associate Coke with the presence of coca leaves and cola nuts as ingredients. It was not deceptive. Coke v coke writing assignment.