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Under Armour sued by Gravity Defyer for alleged trademark infringement



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A California shoe manufacturer is suing Under Armour Inc. for trademark infringement in U.S. District Court, claiming that Under Armour knowingly used the company's name and mark on its running shoes.

Gravity Defyer, a Pacoima, Calif.,-based specialty shoe maker, filed its claim against Under Armour (NYSE: UA) on March 14 in the Central District Court of California. The company alleges Under Armour's Micro G Defy running shoes infringe on the Gravity Defyer trademark and its federally registered "G Defy" name.

Gravity Defyer sells most of its shoes online. The 7-year-old company's footwear includes athletic, casual and dress lines.

"Under Armour performed the aforesaid acts with wrongful purposes and knowledge to inappropriately trade upon Gravity Defyer's goodwill including using Gravity Defyer's mark to draw attention to their product," the company alleges in the complaint.

Gravity Defyer is asking the court to stop Under Armour from using the phrase "G Defy." It is also seeking an unspecified amount in damages.

In response to the suit, Under Armour spokeswoman Diane Pelkey said Monday the company's identity in the sportswear industry remains authentic.

"Under Armour's heritage is defined by our innovation and authenticity," she said in an email. "From our logo to our story-telling and trademarks our goal is to always reinforce our distinct identity and differentiate our brand from other brands in the marketplace."

[Paul Coleman](#), senior vice president and chief financial officer at Gravity Defyer, declined to comment on the case over the phone. In a statement he said, "Our brand identities are a reflection of the promises we make to consumers every day. Trademarks are an extension of that promise."

Under Armour is hardly a rookie when it comes to trademark infringement lawsuits. The Baltimore-based company [alleged in a lawsuit last April](#) that BodyArmor Nutrition LLC, a Beverly Hills, Calif., sports drink company, based its name, "interlocking" logo and use of the phrase "Protect + Restore" on Under Armour trademarks. Under Armour's lawyers indicated in a March 22 filing in U.S. District Court in Baltimore that two companies are "engaging in discussions" to have a private mediator settle the case.

Under Armour also [drew headlines last month](#) when it filed suit against apparel giant [Nike Inc.](#) (NYSE: NKE) for trademark infringement of its slogan "I Will." That case is still pending in the U.S. District Court in Baltimore.

Jack Lambert is responsible for driving breaking news coverage on the BBJ's website, baltimorebusinessjournal.com. His specialty coverage areas are sports business and transportation. However, Jack goes where the news is on a daily basis.

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