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Troutman Pepper Locke Partner Karl Zielaznicki Speaks With NBC on Trademarked Brands and Uphill Battle Against Duples and Knockoffs

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In an [interview with NBC](#), Troutman Pepper Locke partner [Karl Zielaznicki](#) discussed the challenges that fashion and beauty brands are facing when it comes to combatting dupes and knockoffs. Partner in the firm's Health Care and Life Sciences Intellectual Property Practice Group, Zielaznicki shed light on the complexities of trademark/copyright infringement cases involving "dupe" products.

"A dupe is a product that mimics the appearance and function of popular items," Zielaznicki notes. "Whereas a counterfeit is a nearly identical item, sometimes identical, and it even includes the trademark of the product owner."

Zielaznicki goes on to explain that conventional notions of trademark/copyright law suggest that emulating a popular product or service carries certain legal risks.

"Product similarity alone is not a slam dunk," he says. "Product owners with some originality think that just because somebody's mimicking some of their IP on a product that they're entitled to protection, and especially in the fashion field it's just very difficult to obtain."

Zielaznicki recently co-authored a related article on this topic that appeared in *The Fashion Law*, "[Trademark Case Shows Infringement Is Often in the Eye of the Beholder — Federal Court Rules in Favor of Beauty Company's "Dupe" Mascara Product.](#)"

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