

# Louboutin Sees Red Again: Protecting Color as a Trademark

June 12, 2013 | Blog | By [Susan Neuberger Weller](#)

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Christian Louboutin filed suit last week in Federal District Court in New York against Charles Jourdan Fashion Footwear and unnamed companies and John and Jane Does for trademark counterfeiting and infringement and other related claims based upon the Defendants' sales of women's shoes bearing red soles. As we previously [reported](#), Louboutin was unsuccessful in its bid to claim exclusivity in the color red when used in *any* capacity for women's shoes in its action against Yves Saint Laurent, but still owns valid US trademark Registration No. 3,361,597 for the color red when used on the *sole* of women's shoes. The allegedly infringing Charles Jourdan shoes appear to use the color red only on the soles of the shoes. No response to the Complaint has yet been filed by the Defendants.

Claiming color as a trademark is certainly possible, but can be tricky as noted in our [earlier blog](#) on the subject.

We will keep you updated as this new case unfolds. Stay tuned.

## Authors



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Susan Neuberger Weller manages the Trademark & Copyright Practice at Mintz. Susan assists clients with securing and protecting IP assets across the globe. She's worked with clients in a variety of industries, including pharmaceuticals, medical devices, software, electronics, and entertainment.