

# Trademark – Likelihood of Confusion

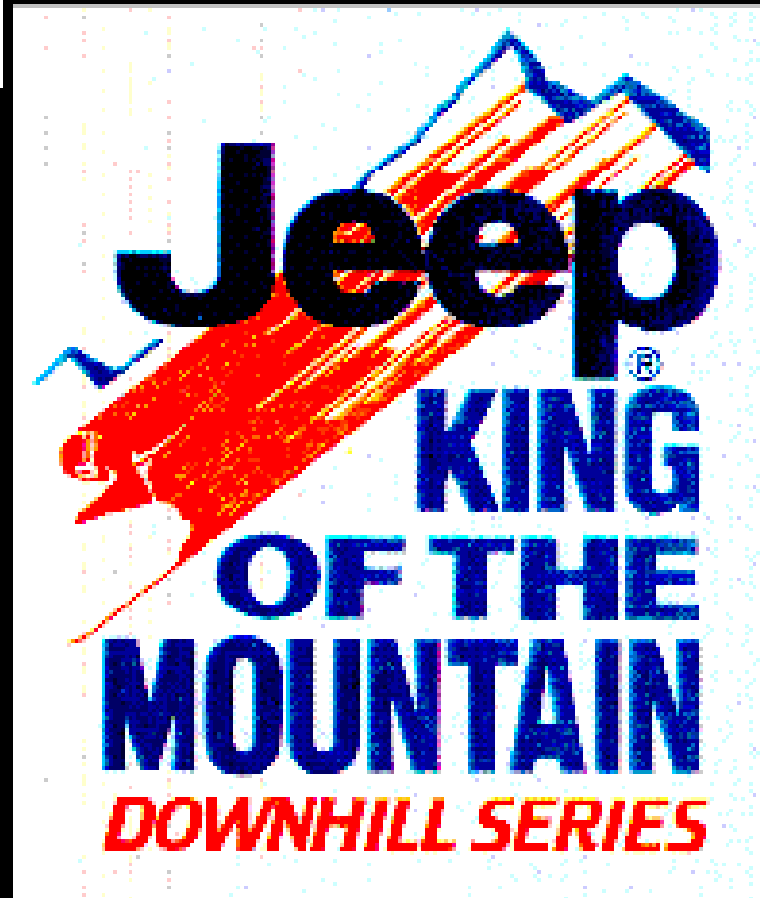
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“(a) Civil action (1) Any person who, on or in connection with any goods or services, or any container for goods, uses in commerce any word, term, name, symbol, or device, or any combination thereof, or any false designation of origin, false or misleading description of fact, or false or misleading representation of fact, which—  
(A) **is likely to cause confusion** . . . shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act.”

Lanham Act § 43

# *King of the Mountain Sports v. Chrysler*

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# *King of the Mountain Sports v. Chrysler*

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1. Similarity between the marks
2. Intent of the alleged infringer
3. Evidence of actual confusion
4. Similarity of goods/services and manner of marketing
5. Degree of purchaser care
6. Strength of mark