

# David Bell Discusses Trademark Infringement Damages in U.S. Supreme Court Case

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**PRACTICES** Intellectual Property, Trademark and Advertising

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The U.S. Supreme Court seems likely to issue a narrow ruling in *Dewberry Group Inc. v. Dewberry Engineers Inc.*, a \$43 million trademark case. Haynes Boone Partner [David Bell](#) says the court isn't likely to use this case to set precedent on future verdicts.

## *Bloomberg Law*

By and large, the justices didn't seem persuaded that there was a compelling reason to find the Lanham Act allows for disgorgement of related companies' profits, IP attorney David Bell of Haynes Boone said in an email. The parties didn't make broad public policy arguments for their preferred rulings either, he added.

"Reactions and questions from the Court, in turn, indicated that the Court is unlikely to issue an opinion with broad sweeping implications," Bell said. "I expect it will be narrow in scope and not clearly answer whether the profits of related entities to a defendant may always be considered in a Lanham Act damages award."

[Read more here.](#)

## *Westlaw Today*

David Bell, a trademark expert from Haynes Boone who is not involved in the case, predicts that the justices will avoid issuing "a broad, sweeping ruling" over whether trademark law allows for the disgorgement of related companies' profits.

"The justices during oral arguments did not seem persuaded that there is statutory support for it or even that there is a compelling enough reason to permit this," Bell said.

[Read more here.](#)

## *World IP Review*

In light of these reactions and questions, David Bell, partner at Haynes Boone told WIPR that if the court does issue an opinion, it is unlikely to be one with "broad sweeping implications".

He further predicted that "it will be rather narrow in scope" and may not "clearly answer whether the profits of related entities to a defendant may always be considered in a Lanham Act damages award".

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