

Conduah in Daily Journal Split 9th Circuit Makes

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PRACTICES Trademark and Advertising, Trademark Litigation

Haynes Boone Lawyer [Theresa Conduah](#) authored an article in *Daily Journal* on the 9th Circuit's recent ruling in *Impossible Foods Inc. v. Impossible X LLC*. The case raises important questions about personal jurisdiction, particularly in the context of the rising digital nomad culture – entrepreneurs who embrace a location-independent, technology-enabled lifestyle.

Read an excerpt below:

In *Impossible Foods*, a divided 9th Circuit revived California-based Impossible Foods Inc.'s declaratory judgment action against Texas-based nutrition and fitness firm Impossible X LLC, reversing the lower court's dismissal for lack of personal jurisdiction. The majority held that Impossible X was subject to specific personal jurisdiction in California because Impossible X's brand building activities took place in San Diego and therefore San Diego previously served as the company's de facto headquarters. This decision highlights the challenges faced by courts in navigating the jurisdictional issues presented in the digital nomad era.

Impossible Foods is a plant-based meat substitute company and maker of the Impossible Burger. Impossible X, now a Texas LLC, is a nutrition and fitness company that promotes apparel, nutritional supplements, and a consulting service through its website and various social media channels. Impossible X is operated by Joel Runyon, a self-described "digital nomad" who between 2014 and 2016 operated his largely social media-based business from San Diego while he maintained a home and workspace in the area.

Impossible Foods filed suit against Impossible X in federal court in California, seeking a declaration that Impossible Foods' use of the "Impossible" mark did not infringe on Impossible X's trademark rights after receiving a notice of opposition against its pending trademark application and a demand letter sent to its outside counsel in Washington state.

To read the full article in *Daily Journal*, click [here](#).