

21/07/2014

Press release

## **SPINNING – OHIM decided to revoke the trademark**

On 21/07/2014 the whole-European Office for Harmonization in the Internal Market (OHIM) in Alicante, Spain, granted the application of the Czech company Aerospinning Master Franchising, s.r.o. against the American company Mad Dogg Athletics, Inc. (MDA) and **revoked the Community word mark SPINNING in the whole extent as proposed.** Decision No. 6281 C on cancellation of the Community trade mark No. 175117 has not become final.

This breakthrough decision arrived after more than eight years of legally complicated disputes between the Czech company Aerospinning Master Franchising, s.r.o. and the American giant **Mad Dogg Athletics, Inc.**

Everyone knows spinning exercise on stationery bikes but only few people were aware of the fact that any use of this word must be licensed by the American company MDA. Countless companies worldwide have become a target of legal disputes concerning use of the trade mark SPINING. Legal representatives of this company went as far as requesting Czech dictionary publishers to remove the word “spinning” from dictionaries or to add information on the trademark proprietor. Despite more than 12 years which have passed the Czech Industrial Property Office has not given its final opinion on this issue. In this respect the European office in Alicante, Spain, was faster, seized the initiative and revoked the Community trade mark SPINNING throughout the European Communities.

Aerospinning Master Franchising, s.r.o. did not hesitate to make immense effort and spend considerable resources and launched into a demanding fight against the American corporation which can, according its own statement, pride itself on 35,000 licensed spinning centres, 200,000 licensed instructors and turnovers of hundreds of million euro. MDA’s strong legal team took aggressive steps against non-licensed users of the word “spinning” not only in the Czech Republic but also in Great Britain, Ireland, Luxembourg, Italy, Spain, Portugal, Denmark, Finland, Switzerland, France, Belgium, Netherlands and Hungary. According to information from MDA, from 2006 to 2011, in Germany alone, the lawyers brought more than 700 legal actions and succeeded in more than 50 legal disputes.

**Aerospinning Master Franchising, Ltd., s.r.o.**

Holandská 4/49, 101 00 Prague 10, Companies Register of the Municipal Court in Prague file No. C/120947, ID No.: 27641686, Tax ID No.: CZ27641686

“I am immensely happy that such a complicated dispute which can be on a global scale compared perhaps only to the dispute concerning the trade mark *pilates* turned out well for us. In the legally extremely complicated proceedings it was absolutely crucial to find more than a good law office. And we were lucky. Were it not for the professional conduct of the dispute by Mgr. Klára Studená Labalestra, the result could be completely different today. At the moment we only hope that the Czech Industrial Property Office will deliver its opinion as soon as possible,” says Mrs. Magda Krautová, owner of the company Aerospinning Master Franchising, s.r.o.

Aerospinning Master Franchising, s.r.o. has released a spinning novelty called **Aerospinning**<sup>®</sup>. It is a modern–fitness–style revolutionary exercise combining elements of circle phase training, spinning and fitness in a unique dynamic training programme focused on general physical condition, overall fitness, posture improvement, figure shaping and strength development. The company has been actively developing its programme *aerospinning* in cooperation with fitness experts. It regularly consults its findings and experience with the professional association [spinning4health.cz](http://spinning4health.cz) which has incomparably the greatest knowledge of and experience in the spinning sport history and development not only in the Czech Republic.

#### Related links

- [OHIM decision No. 6281 C](#), PDF, in English
- [Mgr. Klára Studená Labalestra](#), company’s legal representative
- [Press release](#) of the professional association spinning4health, o.s.
- [About Aerospinning<sup>®</sup> project](#) of Aerospinning Master Franchising, s.r.o.
- [spinning4health, o.s.](#), professional spinning association

Source: [Aerospinning Master Franchising, s.r.o.](#)