

John Wick Targets Jane Wick with Trademark Opposition

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by Kaleb McNeely



John Wick is a highly successful film franchise starring Keanu Reeves as a hitman who reluctantly emerges from retirement to avenge the killing of his pet beagle (among other offenses committed by a group of not-very-nice Russian gangsters). The first movie in the series came out in 2014 and was a surprise hit, grossing over \$80 million at the box office. That initial success led to three sequels, a prequel TV series, and an upcoming spin-off film. John Wick is one of the rare franchises that has achieved greater success with each installment, and ticket sales for the series now exceed \$1 billion.

To capitalize on this remarkable success, the owner of the franchise, Summit Entertainment, LLC, registered the mark JOHN WICK with the U.S. trademark office for a host of goods and services, including movies, video games, accessories, and entertainment services. Summit has also licensed the right to use the JOHN WICK mark

to others, including in connection with backpacks, T-shirts, mugs, and duffle bags.

All appeared to be going well for the John Wick brand – until Jane Wick entered the scene. No, John did not get married; nor did an estranged older sister suddenly appear at John's doorstep. Rather, in February 2024, a company called Jane Wick LLC filed a trademark application for the use of the mark JANE WICK in connection with ammunition bags, leather bags, and athletic apparel. Jane Wick aims to capture the women gun owner market – its vision is to “revolutionize women's shooting by making it functional and beautiful.”

It's unclear if John Wick would think that a fancy leather bag can make shooting “functional and beautiful.” What we do know is that Summit, the franchise owner, is not at all happy about the use of the JANE WICK mark. In fact, last month Summit filed a Notice of Opposition with the Trademark Trial and Appeal Board, claiming that it would be damaged by issuance of a registration for the JANE WICK mark.

The Opposition details the success of the JOHN WICK franchise, noting its total box offices revenues of over \$1 billion, the list of awards the films have won, and Summit's use, promotion, and licensing of the JOHN WICK mark. The Opposition also includes descriptions and photographs of JOHN WICK branded products, including backpacks, duffle bags, T-shirts, coffee cups, and figurines. The Opposition goes on to note that, in addition to common law rights in the JOHN WICK mark, Summit has three registered trademarks for the mark.

Given there is no dispute about priority (the first John Wick movie came out ten years before Jane Wick filed her trademark application), the key issue here will be likelihood of confusion. The facts here would seem to be in Summit's favor. JANE WICK uses the same last name as JOHN WICK, and it similarly uses the generic female name (*i.e.*, Jane Doe). The fact that John Wick is a hitman – and there is a great deal of shooting in his movies – may also make confusion likely, as Jane Wick is not just selling bags – it's selling ammunition bags. Hard to believe that the name Jane Wick was a completely random choice and not meant to relate in some way to John Wick, the renowned fictional gunman. Finally, while JOHN WICK is primarily a film franchise, the mark is also used with goods similar to Jane Wick's products such as backpacks and clothing. All in all, Jane Wick may have an uphill battle.

It's too early to say how this will pan out. The parties presumably had communications prior to Summit's filing of an Opposition but apparently weren't able to resolve their differences. And if Summit succeeds in shooting down Jane Wick's trademark application, would it be content or would it up the aggression and sue Jane Wick for trademark infringement? John Wick didn't go out looking for a fight but he wasn't one to back down either. It looks like the same can be said for the film franchise's owner.