

logo not found or type unknown

District Court Denies RNC's TRO Request For Trademark Infringement Against John Canegata; Hearing on Preliminary Injunction Set for June 8

Politics / **Published On May 24, 2022 05:47 AM /**

Ernice Gilbert **May 24, 2022**

Image not found or type unknown



Cleveland, United States - July 20, 2016: A red-white-and-blue elephant stands in front of the downtown Marriott Hotel with a donation bucket during the Republican National Convention. By. GETTY IMAGES

The District Court of the Virgin Islands on Friday denied a restraining order filed by the Republican National Committee against John Canegata on allegations of trademark infringement, court documents obtained by the Consortium show. Mr. Canegata is a former chairman and former secretary of the Virgin Islands Republican Party.

However, a preliminary injunction hearing on the same matter has been set for June 8 before Chief Judge Robert Molloy.

The RNC is seeking to stop Mr. Canegata from using VI GOP-branded logos and marks, which the lawsuit says Mr. Canegata was barred from using since 2020.

The court denied the restraining order request after it found that the RNC had "failed to certify in writing any efforts made to give notice to the adverse party and the reasons why notice should not be required."

The ruling adds, "While counsel for the RNC does mention in her certificate of service to the motion for temporary restraining order that she 'gave notice to defendants by emailing a copy of this motion, memorandum of law in support and verified complaint with their exhibits to defendants' counsel,' the court finds this notice to be neither actual nor constructive where no counsel has entered an appearance for defendants in this matter."

According to the RNC's complaint, the committee's name along with the VIGOP logo have continued to be used by Mr. Canegata and former secretary Robert Schanfarber for marketing purposes and during what the RNC says was an unauthorized meeting in April.

The complaint further states that Messrs Canegata and Schanfarber have used the trademarks to continue raising funds for a VIGOP action committee, which it said raised \$560,000 between January 2021 and March 2022.

"Defendants' unlawful and unauthorized use of the RNC's name and trademarks in commerce severely and irreparably harms the RNC's good name and reputation that it has worked so hard to create and maintain. Defendants' actions must stop—now," reads a copy of the complaint provided to the Consortium Monday. "Defendants' refusal to stop violating the law has left the RNC with no choice but to seek redress from this Court. The Court should issue a TRO and/or a preliminary injunction."

The court order denying the TRO says the RNC "shall file proof of actual notice or service no later than May 27, 2022," and that "failure to file such proof shall result in the court removing this matter from its calendar."