

This lawsuit is not what it seems. SKKN BY KIM is a new brand that follows in the footsteps of Ms. Kardashian's successful KKW line of products. Building on independent research and development, her company filed a trademark application for SKKN BY KIM to protect the new branded products. This prompted the current shakedown effort.

Mid-last year, we received a letter from Beauty Concepts, an esthetician studio in Brooklyn owned by Ms. Lundsford. We applaud Ms. Lundsford for being a small business owner and following her dreams. But that doesn't give her the right to wrongfully claim that we've done something wrong. In its letter, Beauty Concepts claimed to own rights to a logo made up of SKKN+, and had just filed for trademark protection for that logo. The business was a one-person shop offering facials from a single Brooklyn location. The salon had no signage and was by appointment only. To our knowledge, Beauty Concepts sold no products under the SKKN+ name.

Beauty Concepts asked that we drop the SKKN name. Of course we said no. Beauty Concepts then challenged Ms. Kardashian's trademark applications at the USPTO. Unsurprisingly, the USPTO rejected Beauty Concepts' own SKKN+ mark saying that "skkn" just means "skin." Undaunted, Beauty Concepts then tried to make its business seem more than it was – it leased a new storefront, changed its website, etc.

Several times we reached out to Beauty Concepts, trying to find a sensible path to coexistence. We pointed out that running a small esthetician business in Brooklyn does not give it the right to shut down a global skin care line. We discovered that Beauty Concepts was doing business at one point without the legally required licenses. In the end, Beauty Concepts didn't really engage with us beyond demanding a lot of money.

Since we've done nothing wrong, we stood our ground. We think the case is less about the law of trademarks and more about trying to leverage a settlement by threatening to harm Ms. Kardashian's name and reputation. That's not going to work and we look forward to presenting our case in court.

- Michael Rhodes, lead counsel for Kim Kardashian