
Kluwer Copyright Blog

Copyright case: Cat and Dogma LLC v. Target Corporation, USA

Brian Craig (Wolters Kluwer Legal & Regulatory US) · Thursday, December 30th, 2021

A reasonable jury could find the design for children’s pajamas with the phrase “i love you” repeated in italics to be substantially similar to Target’s products with the same phrase and design.

In a copyright infringement suit brought by a children’s clothing company against retailer Target Corporation, the U.S. Court of Appeals for the Fifth Circuit has reversed the decision by the federal district court in Texas to dismiss the case. In reinstating the case, the appeals court concluded that based on a side-by-side comparison of the clothing company’s design with the phrase “i love you” repeated in italics on children’s pajamas and Target’s products that include the same phrase and design, a reasonable jury could find the designs are substantial similar (Cat and Dogma, LLC v. Target Corporation, October 8, 2021, Per Curiam).

Case date: 08 October 2021

Case number: No. 20-50674

Court: United States Court of Appeals, Fifth Circuit

A full summary of this case has been published on [Kluwer IP Law](#).

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