



**BUETHER JOE & CARPENTER, LLC**  
IP & COMMERCIAL LITIGATION

## **Buether Joe & Carpenter Obtains Summary Judgment Victory for Provident Precious Metals**

DALLAS (August 3, 2015) Buether Joe & Carpenter obtained a complete defense win for Provident Precious Metals, LLC, on trademark, trade dress and copyright infringement claims asserted by Northwest Territorial Mint, LLC, when Judge Barbara M.G. Lynn in the United States District Court for the Northern District of Texas granted summary judgment in favor of Provident on all of NWTM's claims.

In 2013, Provident filed a declaratory judgment action against NWTM seeking a declaratory judgment of invalidity and non-infringement of NWTM's alleged copyrights, trademarks, and trade dress rights. Provident and NWTM manufacture precious metals in the shape of famous types of ammunition. On July 27, 2015, Judge Lynn issued her summary judgment decision finding that NWTM's alleged trademark rights for "SILVER BULLET BULLION," "COPPER BULLET BULLION," and "BULLET BULLION" are invalid and unenforceable. Judge Lynn also ruled that the alleged copyright and trade dress rights asserted by NWTM for its Silver Bullet Bullion and Copper Bullet Bullion products are invalid and unenforceable. Judge Lynn also found that NWTM has no valid claim for federal trademark infringement or claims under Texas law for trademark infringement, unfair competition, or unjust enrichment.

"Our client is extremely pleased with court's decision" said Eric Buether, who represented Provident in the case. "Judge Lynn's decision is a victory not only for Provident but also for the competitive process."

The Buether Joe & Carpenter team representing Provident included attorneys Eric Buether, Tim Cradock and Monica Tavakoli. The Buether Joe & Carpenter team worked closely with co-counsel Robert McIntyre and Peter Hessler from the law firm of Wegman, Hessler & Vandenburg.

Buether Joe & Carpenter, LLC is an intellectual property and commercial litigation boutique law firm focusing on patent, copyright, trademark, trade secret, and unfair competition lawsuits, as well as antitrust, contract and other business disputes for both plaintiffs and defendants. BJC offers clients the expertise of attorneys with decades of experience in handling complex litigation in an effective and efficient manner.

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