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# Trademark Infringement Problem with Product Design

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Hypothetical!



**Provide analysis as to whether, how, and to what extent Apple could defeat MagSafe copyists in 2025 with a claim of trade dress infringement**



Assume:

- MagSafe was invented in 2005, at a time when laptops were ubiquitous.
- There's a MagSafe utility patent, and it will expire in 2025. What's claimed is a computer power connector (both sides) that is detachably attachable with reciprocal magnets on connector and receptacle, where the connector can be pulled away non-axially (i.e., from a random angle as opposed to straight out) without damage to any components and without dislocating the laptop.
- MagSafe has been a huge commercial success for Apple, a reason many buyers choose Apple laptops, because many had experience with laptops being pulled off tables when cords were tripped over and/or power connections being damaged from non-axial forces.
- Accessory makers, including XerockTech, are anxious to copy everything about the MagSafe power bricks and cords, including how they function, look, and feel.
- Genuine Apple MagSafe products are expensively priced.
- Apple consumers value Apple hardware and accessories for their clean, modern, minimalist, rounded-edge design, and for many buyers, it is important that computer accessories all match.
- Since 2005, only Apple has sold them. But other firms have made other minimalist, white, rounded-edge non-OEM cords and accessories to use with Apple products in that time.