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# Hughes Hubbard & Reed

## Federal Circuit Washes Away \$4M Shower Curtain Judgment

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**Oct. 1, 2025** – Hughes Hubbard successfully represented Kartri Sales Company – which sells a variety of products to the hospitality industry – in its appeal to the Federal Circuit of a \$4 million judgment over shower curtains.

Kartri turned to Hughes Hubbard’s intellectual property team after a devastating loss at the Southern District of New York, which had found infringement of patents, trademarks and trade dress, and awarded enhanced damages and attorneys’ fees.

On appeal, the three-judge panel vacated or reversed all trademark and trade dress infringement rulings against Kartri, as well as vacated the willfulness and attorneys’ fees awards. The panel also determined that two of the asserted patents were not infringed by the product Kartri received from its supplier. Some rulings were vacated, and those issues will now be returned to the district court for further adjudication.

On the date of the decision, Patrice Jean of Hughes Hubbard, who led the team in this matter, issued a statement that said: “We are delighted that the Federal Circuit either vacated or reversed all of the findings of trademark and trade dress infringement in this case, as well as the finding of willfulness and the award of attorneys’ fees. We are also pleased that the Federal Circuit held that the product at issue in this matter did not infringe U.S. Patent Nos. 6,494,248 and 7,296,609. We look forward to next steps with the district court.”

Litigation began in 2015, when the plaintiffs then led by Focus Products Group International, filed suit against Kartri claiming that certain shower curtains marketed by Kartri infringed their intellectual property rights. In 2022, the district court issued a decision that Kartri and its supplier infringed three patents, two trademarks and an unregistered trade dress asserted by the plaintiffs, and that the infringement was willful. The district court went on to award attorneys’ fees, resulting in a judgment of approximately \$4 million to the plaintiffs.

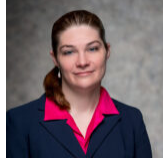
Hughes Hubbard appealed on behalf of Kartri, and on Sept. 30, 2025, the Federal Circuit issued an opinion stating the district court had erred in multiple findings, which it reversed or vacated, remanding the matter back to the district court on some issues.

The team representing Kartri was led by Patrice Jean and includes Emma Baratta, Lynn Russo, Jeanine Cryan and Kathyann Saunders.

## **Related People**



**Patrice Jean**



**Emma L. Baratta**



**Lynn M. Russo**



**Jeanine M. Cryan**

## **Related Areas of Focus**

Intellectual Property