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FEDERAL COURT RULES UPSTART COACH COMPANY MCR WEST
INFRINGES ON MTR WESTERN'S TRADEMARK

PORTLAND, OR – The District of Oregon ruled today in favor of MTR Western in its trademark infringement lawsuit against Portland based upstart motorcoach company MCR West. Following a one day trial, Magistrate Judge Janice Stewart ruled in favor of MTR Western's claim that the trade name MCR West infringed on MTR Western's trademark.

In support of its decision, the Court stated "to help consumers identify its services and distinguish them from those of its competitors, MTR Western maintains high levels of customer support, quality, and safety. MTR Western spends numerous hours training its drivers to drive safely and smoothly, owns top quality motorcoaches that are regularly maintained, has a reputation of rarely experiencing road failures, and is an industry leader in environmental responsibility. As a result, the MTR Western trade dress has acquired value and goodwill and has become distinctive and well known to the consuming public as identifying and distinguishing MTR Western's services."

In its decision, the Court determined that, in an attempt to emulate the success of MTR Western, the founders of MCR West intentionally adopted a trade name confusingly similar to MTR Western's. Further, the Court determined that MCR West's website was presented with intent to appear "substantially similar to" MTR Western's website and that MCR West's website contained multiple "misrepresentations," such as that MCR West maintained exceptional safety ratings with the USDOT. In fact, MCR West had yet to be inspected by the USDOT when its website was posted.

For more information, see Meridian Transportation Resources, LLC v. Magic Carrier Resources, LLC, No. 06-820, 2007 WL 2688129 (D. OR).

ABOUT MTR WESTERN: MTR Western is a young, dynamic, and aggressive charter motorcoach company focused on the premium segment of the market. The company owns and operates the most modern fleet of motorcoaches available for charter in North America (including 30 motorcoaches based in Portland, OR) and is a dominant player in the over-the-road tour market, the professional and collegiate sports market, the convention and meeting planner market, and the per capita sightseeing market. MTR Western is privately owned and is based in Seattle, WA.