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**Subject:** Folk Artist Prevails over Fast Food Giant! Vermont T-shirt Artist Bo Muller-Moore Successful in Cease and Desist/Trademark Battle vs. Chick-fil-A



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## **Folk Artist Prevails over Fast Food Giant! Vermont T-shirt Artist Bo Muller-Moore Successful in Cease and Desist/Trademark Battle vs. Chick-fil-A**

Montpelier, VT - Vermont t-shirt artist and entrepreneur Bo Muller-Moore and his attorneys, Ashlyn Lembree (Univ. of New Hampshire School of Law) and Daniel Richardson (Tarrant, Gillies & Richardson) today announced that they have prevailed in their fight for trademark protection for Muller-Moore's iconic, "Eat More Kale" t-shirt slogan and design. In 2011, Muller-Moore filed an application with the U.S. Patent and Trademark Office (USPTO) to protect his unique design against low-quality Internet copycats. Fast food giant Chick-fil-A quickly followed suit to block his application, citing trademark infringement on the "Eat Mor Chikin" slogan used in national advertisements and sent a cease and desist letter demanding that Muller-Moore cease using "Eat More Kale," abandon the trademark application, transfer the domain name to CFA or risk the commencement of a trademark infringement lawsuit. Additionally they requested that Muller-Moore's entire inventory be sent to CFA headquarters in Atlanta, Ga. to be destroyed. Muller-Moore's David vs. Goliath fight has received national attention and widespread support including from Vermont's Governor and Congressional delegation.

Muller-Moore stated, "While I never would have dreamed it would take the USPTO so long to decide on my trademark case, I'm thrilled that reason prevailed and Chick-fil-A has to eat some crow. My company is not going to 'cease and desist.' I am now allowed to protect my simple, original art from copycat artists and hopefully Chick-fil-A's trademark bullying spree can come to an end. The U.S. government agrees: Chick-fil-A doesn't own the words 'eat' and 'more.'" Muller-Moore continued, "Now I just want to protect and grow my micro-business. I'm part of the creative economy and it feels great. I hope Mom and Pop operations across the country will see this as a victory for all of us. Chick-fil-A can keep serving chicken and I get to keep printing EAT MORE KALE t-shirts."

Governor Peter Shumlin said, "The message is out: Don't mess with Vermont. And don't mess with Bo. This isn't just a win for the little guy who stands up to a corporate bully; it's a win for our state. In Vermont, we care about what's in our food, who grows it, and where it comes from. That's what Bo and Eat More Kale represent. And that's something worth fighting for."

Senator Patrick Leahy (D-Vt.), chairs the Senate Judiciary Committee and in 2010 authored and won enactment of an update to trademark laws. His bill included a requirement for the Commerce Department to study whether large corporations are misusing trademark laws to harass small businesses by exaggerating the scope of their trademark protection. On Bo Muller-Moore's victory, Leahy today said, "Laws that protect the intellectual property rights are crucial to U.S. creativity and our economy. But we've also seen in the past how trademark laws can be misused by deep-pocketed corporations to bully small businesses. This is a happy ending to a long struggle for a Vermont entrepreneur, but perseverance pays. And it turns out that kale goes well with chicken, too."

"The American people are getting tired of the greed and recklessness of large corporations which use their size and power to push individuals and small businesses around," said Senator Bernie Sanders (I-Vt.). "Bo fought the fight not just for Eat More Kale, but for all small businesses out there, making a difference for their families and their communities. He fought and he won!"

Rep. Peter Welch (D-Vt.) said, "Christmas has come early for Eat More Kale and for Vermont! This was truly a David vs. Goliath fight and I'm thrilled that David has won. Bo's commitment and the support of the entire Vermont community make us all proud."

Muller-Moore began his t-shirt business after his wife, Melissa, gave him a silk-screen printing kit as a gift in 1999. His "Eat More Kale" design was created in 2001 following a request from a friend and local farmer to print a t-shirt that would help support his family farm. Following the Chick-fil-A suit, supporters throughout Vermont and across the country have rallied to Bo's cause, supporting his stand against corporate bullying, his support of local agriculture and his commitment to creative small business. Vermont Governor Peter Shumlin helped launch a legal defense fund for Bo's fight against Chick-Fil-A. His incredible story is the subject of a documentary film, A Defiant Dude, which is being produced by James Lantz (Little Film/Big Noise LLC) through money raised through the grassroots website <http://kickstarter.com>. To support Bo and his business, and buy some hand-printed t-shirts and other items, go to <http://www.eatmorekale.com> and like him on Face book, <https://www.facebook.com/pages/EatMoreKalecom/101747780074>.

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