

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
CIVIL APPEAL STATEMENT OF PARTIES AND ISSUES

Case No: 23-1856 Case Manager: Roy G. Ford

Case Name: Libertarian Natl Comm, Inc. v. Michael Saliba, et al

Is this case a cross appeal? Yes No

Has this case or a related one been before this court previously? Yes No

If yes, state:

Case Name: _____ Citation: _____

Was that case mediated through the court's program? Yes No

Please Identify the Parties Against Whom this Appeal is Being Taken and the Specific Issues You Propose to Raise:

Defendants appeal the District Court's August 24, 2023 Order (Dkt. No. 21), enjoining Defendants from using the Plaintiff's federally registered trademark "Libertarian Party" Reg No. 2,423,459.

Specifically, this preliminary injunction involves 1) First Amendment issues relating to political speech and 2) issues relating to Defendants' rights under the Libertarian Party's Bylaws.

Defendants' appeal will raise substantial arguments with regard to whether commercial and political speech are mutually exclusive in the trademark context, and whether the Lanham Act applies to political speech. Defendants' appeal will also address whether the Libertarian National Committee has the power to revoke members' rights to use the name "Libertarian Party" without following the formal disaffiliation process set forth in the Libertarian Party Bylaws.

This is to certify that a copy of this statement was served on opposing counsel of record this 4 day of

October, 2023.

Lena Shapiro

Name of Counsel for Appellant