

3 Accordingly, Defendants' motions to dismiss American Blind's claims of trademark
4 infringement, false representation, and dilution under the Lanham Act, dilution and injury to
5 business reputation and unfair competition under the California Business and Professions Code,
6 and trademark infringement and unfair competition under California common law are DENIED.²⁵

7 In so ruling, the Court emphasizes that it expresses no opinion as to whether Defendants
8 ultimately will prevail in trying to prove that they are not liable to American Blind on these
9 claims. This Order should be understood only as allowing American Blind's counterclaims and
10 third-party claims to proceed beyond the motion-to-dismiss stage, which will enable the Court to
11 consider both the relevant facts and the applicable law in the context of a fuller record.²⁶