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KENTUCKY COLONELS ORGANIZATION PREVAILS IN PROTECTION OF HISTORIC TRADEMARK

In a resolution to a January complaint filed by The Honorable Order of Kentucky Colonels (HOKC), the United States District Court for the Western District of Kentucky has issued its findings in (ADJ) favor of the 92-year-old charitable organization. The suit sought to enforce a 2020 agreed permanent injunction which prohibited Kentucky Colonels International and associated defendants from using the trademarked Kentucky Colonels name in the sale of branded merchandise bearing the moniker as well as attempted fundraising in brazenly and deceptively use of its trademarks and trade name for personal enrichment.

Those individuals had created unauthorized groups, deceptively identifying themselves as “Kentucky Colonel,” “Kentucky Colonel Community,” “Kentucky Colonel Club,” and “Kentucky Colonel™ 1775,” linking to websites including “Kentucky Colonelcy: The Honorable & Official Title” and “Office of the Colonelcy.” Among other things, the groups are soliciting registry dues and licensing fees from commissioned Kentucky Colonels to be considered an “official” Kentucky Colonel and marketing “official” badges and “official” ID cards. The January Complaint filed by HOKC can be viewed [here](#).

In her [13-page ruling](#), U.S. District Court Judge Rebecca Grady Jennings held the defendant in contempt of the 2021 agreed permanent injunction and ordered them to cease use of the Kentucky Colonels trademark. Further, Jennings awarded HOKC \$7500 in compensatory damages plus attorneys’ fees.

HOKC is a nonprofit, tax-exempt corporation that has made more than 3,800 grants—totaling more than \$32 million—to nonprofit organizations across Kentucky in the last 21 years. Since 1951, HOKC has made more than 8,000 grants, totaling over \$60 million and currently has more than 30,000 contributing members across the U.S. and in 59 countries. Kentucky Colonels are appointed by the Governor of the Commonwealth and are Colonels for life. A Kentucky Colonel can selectively decide to join the long-standing HOKC and contribute to help make the lives of citizens in the Commonwealth better.

“We are obliged to our contributors, and by law, to protect our federally registered trademarks, said Executive Director Colonel Sherry Crose. “People who know ‘Kentucky Colonels’ by our various marks, including contributors and the hundreds of nonprofits to which we provide much-needed grants, respect the integrity of the Honorable Order and hold us in high esteem as a philanthropic organization. When someone creates confusion with similar names, merchandise, and foundations that encroach on our trademarks, we are forced to act in defense of our intellectual properties and our reputation. We are happy to have this chapter behind us and focus our efforts on distributing the \$3.1 million we awarded in grants this year and communicating our activities to our beloved contributors.”

About The Honorable Order of Kentucky Colonels, Inc. HOKC is a 501(c)(3) dedicated to supporting charitable activities throughout the Commonwealth of Kentucky. For decades, HOKC has pursued its mission through annual grants to charities across the state. This grant-making function is funded by generous donations of its contributing members. Though the corporate name is The Honorable Order of Kentucky Colonels, most know it by its long-term trademark, Kentucky Colonels®.