



## Zymol Files Lawsuit Against Manufacturer And Distributor Of Swissol Products

*Anwander Is A Former Zymöl Distributor*

For Immediate Release

LOS ANGELES/EWORLDWIRE/Aug. 30, 2004 --- Zymöl Enterprises Inc. of Killingworth, a manufacturer and worldwide distributor of high-end car care products, today announced it has filed suit against Anwander & Co. AG, an entity of Switzerland, and its U.S. Distributor, John "Jack" Camarda (doing business as CSX Group, LLC), for trademark infringement, copyright infringement and unfair competition.

The lawsuit was recently filed in the United States District Court for the Central District of California. Zymöl alleges that Anwander is violating federal law by advertising, importing into the United States, and selling through Camarda and CSX Group various car care products identified by the names "Swissol" and "Concorso," which are confusingly similar to the Zymöl(R) and Concours(TM) names used by Zymöl for over 20 years. Additionally, the lawsuit alleges that the Anwander has intentionally copied Zymöl's trade dress and engaged in copyright infringement.

### **Anwander Is A Former Zymöl Distributor**

According to the lawsuit, Anwander was a distributor of Zymöl products in Europe from 1992 to 1999. In approximately 2001, Zymöl discovered that Anwander had created multiple new car care products that it labeled Zymöl(R) without Zymöl's authorization. Zymöl also discovered that Anwander had registered the Zymöl(R) trademark and Zymöl's distinctive jar design in Switzerland, also without Zymöl's authorization.

After Anwander's distributorship ended, Anwander registered the trademark "Swizöl" in Switzerland. According to Zymöl, Anwander adopted the Swizöl name in order to confuse the public. Anwander then used the Swizöl name on products packaged in Zymöl's distinctive container.

### **Previous Trademark Dispute Between The Parties**

The present lawsuit alleges that attorneys for Zymöl and attorneys for Anwander engaged in a series of communications concerning the trademark dispute in 2001. In 2002, Anwander agreed to stop using the Zymöl(R) name and the Zymöl container for its products. Anwander also agreed to cancel the registration of Zymöl(R) and the Zymöl container in Switzerland.

Thereafter, Anwander adopted the name Swissol for its car care products, which Zymöl claims is also confusingly similar to Zymöl.

### **Anwander's Use Of Concours(TM) Name And Packaging**

Zymöl's waxes include a wax with of a high-concentration of white and yellow Carnauba identified by the name Concours(TM). The lawsuit alleges that Anwander has created a product similar in color, scent and packaging that its calls "Concorso." Anwander packages its "Concorso" product in the same type of drawstring bag used by Zymöl for its Concours(TM) product, with a "Certificate of Authenticity" like the one used by Zymöl to identify the Concours(TM) product. Zymöl claims Anwander even copied the text of its Concours(TM) "Certificate of Authenticity" for its "Concorso" product.

The complaint alleges that Anwander adopted the Swissol and Concorso names and trade dress with the intent to confuse and deceive the public and trade upon the goodwill established by Zymöl in its Zymöl(R) and Concours(TM) trademarks and trade dress.

"It is our duty and our right to protect our trademarks, trade dress, and copyright-protected materials from unauthorized use," said Chuck Bennett, president of Zymöl Enterprises, Inc. "We have invested a lot of time and money successfully building our brand and we don't want our customers to be confused or deceived."

"We intend to fight aggressively to protect the immense amount of equity we have established in our intellectual property," Bennett said.

Zymol has asked the court to prohibit Anwander and Camarda from using the Swissol and Concorso names, the offending trade dress, and the infringing certificate of authenticity. Anwander and Camarda have not yet responded to the lawsuit.

#### **About Zymol Enterprises Inc.**

Founded in 1980, Zymol Enterprises Inc. ([www.zymol.com](http://www.zymol.com)) is a leading manufacturer and distributor of high-end car care products, including waxes, washes, and cleaners. Since inception Zymol has specialized in the development and manufacture of premium car care products revered by enthusiasts, collectors and restorers of fine automobiles worldwide. All Zymol paste waxes are hand crafted from a nineteenth century carriage maker's formula developed in Bischofsheim, Germany. Unlike common car care products, Zymol uses ingredients that are natural and derived from nature, making them not only effective but also environmentally compatible and pleasant to use. The wax's main protective ingredient is rare Brazilian Carnauba, carefully extracted from tropical rain forests. For a superior shine and finish Zymol uses up to ten times the amount of Carnauba in its waxes than the industry standard. Ferrari and Jaguar, among others, have worked with Zymol to produce Marque Specific waxes; the National Museum of Transportation uses Zymol to care for their prized possessions; and the BMW and Porsche Clubs of America are avid supporters of Zymol for caring for their cherished automobiles.

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#### **CONTACT:**

C.E. Bennett, President

Zymol Enterprises, Inc.

28 Madison Hollow

Killingworth, CT 06419

PHONE. (800)227-9297 ext.100

FAX. 860 663 1058

EMAIL: [cbennett@zymol.com](mailto:cbennett@zymol.com)

<http://www.zymol.com>

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