

# Court Throws Out Back Massager Trade Dress Infringement Claims on Motion to Dismiss

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As the first-filed paper in nearly any litigation, the complaint is typically subject to rigorous scrutiny from the named defendant to identify any flaws that may dispatch the case via a motion to dismiss. A plaintiff in the District of Connecticut recently felt this pain, as its complaint was dismissed under Rule 12(b)(6) for failing to allege sufficient facts in support of its trade dress infringement and unfair competition claims...