

# Speaking Of Movies...

The powersports industry's version of the Oscar awards presented by the Academy of Motion Picture Arts & Science is set to return April 27. That is when the 2008 Xtremey Awards program will headline at the OC Pavilion in Santa Ana, California.



Intended to honor the contribution extreme sports videos have on the industry and applaud the artistic endeavors of their creators, the Xtremey's are the brainchild of Impact Video's Docy Andrews. Now in its eighth year, the program has certainly evolved from a sideshow during the Dealer Expo to become quite the to-do!

Even outside the industry sponsors such as Ketel One Vodka have come onboard (cocktail attire is required this year for the formal march down the red carpet). Of course the industry

publications are now covering it and

*Dirtsports* has officially joined Ketel One as the co-sponsor. Also starring in a supporting role as a new sponsor is NewRay Toys (they are one of the largest die-cast manufacturers in the world and make those trick toy replicas of Rossi, Stoner and Hayden MotoGP bikes).

If you want a sneak preview at coming attractions, the 2007 awards ceremony is available for viewing in vidcast form at the website, as is a list of the nominees and ticket information — just click on **[www.xtremey.net](http://www.xtremey.net)** for details. Make plans to join the paparazzi at the OC Pavilion now. ↙

## Point...

Forget the Chinese knock-offs, we have an intellectually property war escalating in the powersports aftermarket. You may remember the Wiley X Eyewear/Panoptyx patent battle this past fall? Wiley X may have won the judgement, but we suspect it was the patent attorneys who got the most out of this litigation. "While we would have preferred not to litigate, we are very pleased that our patent rights have been vindicated," said Wiley X VP Dan Freeman at the time. "We upheld a principle and will not hesitate to do so again if our patent rights are not respected in the future."

Also allegedly acting on principle, the One Industry guys didn't see eye to eye with the O'Neal people on the stylized "O" logo appearing on One helmets and casual wear. On Valentine's day, when the industry was in full Indy mode, United States District Judge John A. Houston granted summary judgment in favor of One. "We filed this case to clear our



name in the face of false accusations by O'Neal" said Marc Blanchard, designer and VP of One Industries. "We work really hard to make great products with cutting edge design and the best materials. The idea that O'Neal was claiming we were copying them was pretty surreal."

The lawsuit actually began in May 2006, when O'Neal threatened to sue if One Industries did not change its name and logo. One Industries asked the Federal Court for a declaration that it was not infringing any of O'Neal's trademarks. O'Neal then counter-sued One Industries as well as founders Ludo Boinnard and Marc Blanchard, claiming trademark infringement, trade dress infringement, unfair competition, and seeking to cancel the company's registered trademarks.

"It's our second litigation in four years and both times we've been successful," notes Boinnard. "We will always defend our rights and push back hard with all legal efforts and means necessary." ✎

## Counterpoint...



One day after the One Industries summary judgement, Jim O'Neal Distributing Inc. filed with the Ninth Circuit Court of Appeals to overturn a summary judgment motion. The legal matter erupted in early 2006 after several instances of product confusion with customers and consumer websites. The customer confusion has continued with numerous documented instances of confusion to date from consumers, dealers, vendors and industry veterans. "Our client had made several offers to ONE to allow them to simply use the name ONE INDUSTRIES or ONE IND on their helmets so that there would be no confusion in the marketplace," says O'Neal attorney Joseph Trojan, esq. "ONE refused to do so and uses the ONE logo and or an 'O' logo in stylized versions without the word 'industries' on many of their helmet graphics. In yesterday's decision, ONE was denied their request for damages and or reimbursement of legal fees. Thus the judgment did not award ONE a single penny in this matter. We committed to this case and we are looking forward to putting this matter before a jury in federal court." ✎

## Business Briefs

- **Western Power Sports** and **Shinko Tires** have teamed to launch [www.shinkotireusa.com](http://www.shinkotireusa.com). Shinko's new site showcases its full range of economically priced sportbike, cruiser, scooter, off-road and dual-sport rubber. "The Shinko line of tires has been a huge hit with consumers and dealers alike here in United States," explains **Terry Baisley**, WPS's VP of sales. "We are really excited to be able to showcase the Shinko tire brand even better through the launch of this new website." But stay tuned as an entirely new line of **ATV rubber and rims** is rumored to be on the way from **WPS** as well.
- Rolling right along, the folks at **QTM** say they have been fielding plenty of **dealer calls** concerning the disposition of **Talon hubs** with **White Bros.** going under. For the record, QTM Inc has entered into an agreement with **Talon Engineering** to become the exclusive importer for the British-made hubs and high end sprockets. QTM is supplying complete wheels as well, utilizing hubs laced into **Takasago Excel** rims. Click on [www.qtmi.com](http://www.qtmi.com) or call (714) 575-5000 for all the details.
- Heads up! Once and future **AMA Superbike** champ **Mat Mladin** used the **Daytona podium** to reiterate how happy he is to have changed helmet brands. "So much for our ability to fly under the radar," says **ScorpionEXO** exec **Eric Anderson** of the impromptu TV commercial. "Did you see it? He gave Scorpion more play than **Rockstar** or **Suzuki!**"
- In some other shocking news, company founder **Kent Öhlin** reclaimed a 95% share of the famous suspension operation **Öhlins Racing AB**. After 25 years partnering with **Yamaha**, the **Swede** decided it was time to bring the business back home. Since a then 26-year-old engineer founded the firm back in 1975, the brand has grown to become synonymous with suspension and now The company has grown to an annual turnover of **52 million Euros**, with **235 employees** with distributors in more than **50 countries** — including a U.S. subsidiary in **Hendersonville, North Carolina**.
- Clean and green? To celebrate **50 years** in business, **BRP** introduced a couple clean burning engines from their earlier **E-TEC** **Evinrude** outboard efforts in Ski-Doo snowmobile platforms. See [www.brp.com](http://www.brp.com) for more. ✎



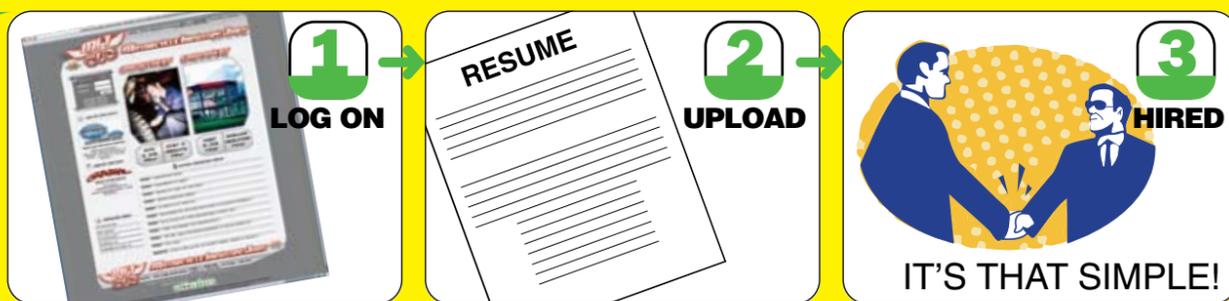
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