

Fla. Court Tosses 'Gold Jacket' Trademark Suit Against NFL

By **David Minsky**

Law360 (January 27, 2026, 8:53 PM EST) -- A Florida federal judge Tuesday tossed a lawsuit by the estate of a man alleging the National Football League and NFL Pro Football Hall of Fame infringed the trademark of the iconic Gold Jacket presented to inductees, saying claims were improperly delayed and weren't sufficiently stated in the complaint.

U.S. District Judge Donald M. Middlebrooks **issued his order** in West Palm Beach, Florida, federal court dismissing the amended complaint brought by representatives of Victor I. Maitland's estate, saying the lawsuit is a shotgun pleading that doesn't explain what trademarks were infringed. The judge also said the case is barred by the doctrine of laches, or because the complaint was commenced several years after the statute of limitations expired for an analogous state law claim.

"Plaintiffs have listed seven marks at issue in this case, but do not clearly list which of those marks are explicitly at issue here," Judge Middlebrooks said. "Moreover, '[l]aches is invoked when the delay in commencing a lawsuit exceeds the statute of limitation for an analogous state law claim, which for this trademark action is the four-year limitation period applied to an action under' analogous Florida law."

Katherine Lassen and James Maitland, personal representatives for Victor Maitland's estate, brought their lawsuit against the Hall of Fame, NFL, its merchandising arm NFL Properties LLC, NFL Alumni Inc. and Hagggar Clothing Co. in August 2025. The plaintiffs alleged the defendants were trying to erase the **legacy created by Victor Maitland**, who was the first CEO of the NFL Alumni Association.

While holding the CEO position, Maitland introduced the idea of the gold alumni blazers for HOF members, according to the complaint. Maitland died in 2019 at the age of 98, court records show.

Judge Middlebrooks dismissed the initial lawsuit less than a week after it was filed, calling the complaint a shotgun pleading. The judge tossed the case without prejudice, giving the plaintiffs another chance to file no later than two weeks after his order.

Less than a month after the amended complaint was filed on Aug. 22, the defendants brought motions to dismiss, arguing that the new lawsuit failed to state any claims. The defendants argued that the Maitland's estate was still a shotgun pleading and didn't bring the claims until years after his death.

In their motion, the NFL and NFL Properties told the court that the plaintiffs failed to allege claims under the Lanham Act, including the likelihood of confusion and didn't properly allege any violations of Florida's Deceptive and Unfair Trade Practices Act. They added the plaintiffs claimed the infringement began 36 years ago, in 1989. Prior to his death, the NFL and NFL Properties told the court that Victor Maitland had 23 years to act, but didn't and that the estate delayed bringing a lawsuit for several more years after he died.

Victor Maitland's estate filed responses to defendants' motions starting in November, likening the case to David versus Goliath. The estate claimed that Maitland personally spent \$1 million of his own money on the marks and at no point were the defendants assigned any of the intellectual property rights he owned.

The estate also argued that Maitland lacked the mental capacity to research and bring the alleged trademark infringement-related claims in the years leading up to his death.

"This case presents a straightforward, continuous, and ongoing story of trademark infringement by the NFL 'Goliaths' against Vic and his family, the 'Davids,'" the estate said, arguing that the court should deny the motions to dismiss.

In his order, Judge Middlebrooks said that Maitland would have at least been aware of any potential infringement starting in 1988, when he retired from the NFL Alumni Association.

Judge Middlebrooks said Maitland would also have been aware of any infringement claims in 2001, when he was honored as a Lifetime Honorary Professional Member of the NFL Alumni Association. The judge said Maitland was given a certificate that made a clear reference to using the marks at issue beyond his tenure.

After the 2001 award and before Maitland became incapacitated in 2012, Judge Middlebrooks said that period marks 11 years of delay.

"Moreover, neither ongoing misappropriation or concealment and deception alter the clear fact that Mr. Maitland was aware of such alleged misappropriation following his retirement, or following his 2001 award," Judge Middlebrooks said. "Finally, neither the failed and abandoned attempts to trademark the NFL Alum name and the NFL Alum logos, nor the incidents involving communications between Maitland's family and the defendants bear on whether he would have been aware of his potential claims upon his retirement."

Zachary P. Hyman of Millenial Law Inc., who represents NFL Alumni, told Law360 in an email that his client is happy with Judge Middlebrooks' order.

"We are very pleased with the result and are grateful for the collaboration support and professionalism of counsel for all of the defendants in this matter," Hyman said.

The NFL and NFL Properties declined to comment Tuesday. Haggard and the National Football League Museum, doing business as the NFL Pro Football Hall of Fame, did not immediately respond to emailed requests for comment.

The estate is represented by Jordan R. Chusid and Mitchel Chusid of Chusid Katz & Sposato LLP.

The NFL and NFL Properties is represented by Alec H. Schultz of Hilgers PLLC.

The National Football League Museum is represented by W. Robert Keller of Litchfield Cavo LLP.

NFL Alumni is represented by Zachary P. Hyman of Millennial Law Inc.

Haggar is represented by Noah H. Rashkind of Lott and Fischer PL and Julie B. Albert of Baker Botts LLP.

The case is Lassen et al. v. NFL Properties LLC et al., case number 9:25-cv-80981, in the U.S. District Court Southern District of Florida.

--Additional reporting by Elaine Briseño. Editing by Leah Bennett.

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