

## Google Suggest: complete U-turn of French practice

Categories : [Infringement](#)

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The Court of First Instance of Paris made a complete U-turn in the French practice with a decision of July 22, 2010 which denied Google's liability.

Omnium Finance had sued Google France and Google Inc for trademark infringement and harm to its company name because internet users searching for 'OMNIUM' or 'OMNIUM FINANCE' were given the suggestions 'Omnium Finance arnaque' (i.e. 'Omnium Finance rip-off') or 'Omnium Finance escroquerie' (i.e. 'Omnium Finance swindle') by the Google Suggest tool.

For the Court, the plaintiff's marks had not been used for promoting services of competitors and only a polemic use made in the course of ordinary trade was concerned. The addition of a company name to a tort sounding word was also regarded as not reprehensible in itself.

This is the third proceeding engaged against Google Suggest tool before the French Courts. Until now, Google had been found liable in the two other proceedings which even went to the Courts of Appeal last December. French case is consequently yet to be built up to ascertain whether



trademark enforcement can be sought (and obtained) against Google as to its Suggest tool.