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# the eleventh circuit rules in favor of *floribama shore* creators and opines on the future of the “title-versus-title exception” to the *rogers v. grimaldi* defense

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The Eleventh Circuit recently affirmed the Northern District of Florida’s summary judgment decision in *MGFB Props., Inc., et al. v. Viacom, Inc.*, holding that use of the name *MTV Floribama Shore* for a reality show spin-off of *Jersey Shore* is protected by the First Amendment and does not infringe the trademark of a well-known bar called Flora-Bama Lounge. The Court’s majority and concurring opinions offer guidance on the defense articulated in *Rogers v. Grimaldi*, 875 F.2d 994 (2d Cir. 1989) and, in particular, on the future of the so-called “title-versus-title exception” in the Eleventh Circuit.

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