Apple wants this recipe app to stop using a pear in its logo

Apple has filed a against a meal prep company because it claims the Prepear app's cartoon fruit logo– in this case, a pear– is too close to Apple's own trademarked logo which is, of course, an apple (via *MacRumors* and *iPhone in Canada*). The company claims the pear logo would "cause dilution of the distinctiveness" of the Apple logo, and make it difficult for consumers to distinguish between Prepear and Apple's goods and services, which it argues is a violation of the Lanham Act.

The dustup started when parent company Super Healthy Kids filed to register a trademark for the Prepear logo. The Prepear app lets users store and organize recipes, and create custom meal plans. The logo is in the shape of a pear, with a leaf on its upper right. Apple's notice of opposition describes it this way:

"Applicant's Mark consists of a minimalistic fruit design with a right-angled leaf, which readily calls to mind Apple's famous Apple Logo and creates a similar commercial impression." The court filing continues, "The Apple Marks are so famous and instantly recognizable that the similarities in Applicant's Mark will overshadow any differences and cause the ordinary consumer to believe the Applicant is related to, affiliated with or endorsed by Apple."

Prepear co-founder Russell Monson started a petition ("Save the Pear from Apple!") that had more than 14,000 signatures as of this writing. He writes that the company is a small business with five employees that can't afford a protracted

legal battle with a company the size of Apple, and that it's been a "terrifying" experience.

Apple's court filing states that since it offers "identical and/or highly related goods and services," and has "services related to computer software, as well as healthcare, nutrition, general wellness, and social networking" that a meal planning services app would be "within Apple's natural zone of expansion for Apple's Apple Marks." In other words, customers may look at Prepear's logo and assume the recipe app is an Apple product because it's something Apple might do. And, Apple points out, it has several health and nutrition-related apps and services already.

Prepear co-owner Natalie Monson posted to Instagram that she isn't trying to get people to stop using Apple products, but wants to push back on the company's stance. "I feel a moral obligation to take a stand against Apple's aggressive legal action against small businesses and fight for the right to keep our logo," she wrote. "We are defending ourselves against Apple not only to keep our logo, but to send a message to big tech companies that bullying small businesses has consequences."

It's not the first time Apple has pursued legal action against another company for a similar-looking logo. In 2019, it sent an objection letter to the patent office in Norway, arguing that the political party Fremskrittspartiet had an apple logo that closely resembled its own. It also objected to the logo of a cycling path in Germany that had a vaguely apple-like design.

Apple is seeking to have Prepear's trademark registration application denied.

Apple did not immediately respond to a request for comment Sunday. Natalie Monson didn't immediately reply to an email seeking more information.

https://www.theverge.com/2020/8/9/21360683/apple-super-healthy-kids-prepear-pear-logo