

GENERAL INFORMATION - QUARTER FINALS

Background -

Montego Mount is a hip-hop artist better known by his stage name “Lil Mon M”. Montego appeared on the list of TAME Magazine’s 25 most influential people of 2021. Montego is also one of the most streamed artists on the online streaming platform, Playify. Montego gained international acclaim with his single ‘Old City Street’ and critical and popular success with his debut album ‘Montego’, which was released in 2021. Montego is one of the most successful artists in hip-hop culture to be openly homosexual. He is also the brand ambassador for various brands such as Wrangler Jeans, Champion, and Panera Bread, among others.

Nyke is an American multinational corporation engaged in the design, development, manufacturing, and worldwide marketing and sales of footwear, apparel, equipment, accessories, and services. Renowned for its product lines such as Wind Max’s, Megafly’s, Phippen’s, etc, the globally renowned brand particularly influences the modern style and culture.

Dispute -

Montego collaborated with a custom sneaker manufacturer, MBDTF, to launch a limited edition of modified Wind Max’s. The same was to accompany his album release in 2021. Since Montego was coming out to the world as a homosexual hip-hop artist through the album, he used his meme-savvy marketing strategy and decided to tease and ridicule the hate that he might get from the conservative society by launching his limited-edition Wind Max’s titled ‘Satan Shoes’.

The ‘Satan Shoes’ replicated the traditional Wind Max’s designs, barring the logo of Nyke, which featured a 180-degree twist of the same. The shoes contained one drop of Montego’s blood in the midsoles and were printed with a biblical passage referring to Satan’s fall from heaven. The shoes were red and black in colour and 666 copies of the same were produced by MBDTF. Each shoe was priced at \$1018 and a lucky draw was scheduled along with the launch to determine the owner of the 666th pair of shoes. The shoes also contain pentagram inscriptions and further allegories to Satan.

The announcement of the shoe was met with heavy criticism and widespread outrage against the artist. Montego was labelled as ‘Anti-Christ’ and he as well as his fans were chastened as Devil worshippers by a considerable portion of the general public. However, the shoes sold out in less than a minute upon their release through MBDTF’s online platform, after a virtual launch party was held by Montego himself.

Nyke acted quickly and claimed that they had no responsibility for MBDTF's customisation of their Wind Max's shoes and that they weren't associated with 'Satan Shoes' by any means. Nyke stated that the public should not mistake them to be an entity endorsing Satanism. Later, Nyke contacted Montego's agency, which also manages the operations of MBDTF, and indicated a possible lawsuit. They, however, proposed an initial stage of mediation to attempt to solve the issue at hand amicably.

Nyke has sought damages of around \$5 Million to compensate the loss of reputation and for commercial use of their intellectual property without their consent. Nyke has also sought for MBDTF to make a public statement that clarifies that the Wind Max's were marketed and customised without the consent of Nyke and that Nyke had no association or role to play whatsoever in the 'Satan Shoes' campaign.

Nyke has also indicated its interest in adding Montego to its star-studded ambassador line-up for campaigns and promotions in the future as a mode of addressing the dispute at hand, and to clear the confusion that arose from the use of Nyke products for Montego's promotional campaign *via* MBDTF, an unlicensed user of Nyke's intellectual property. Nyke has also asked for a recall of the sold Wind Max's as part of the 'Satan Shoes' campaign as they believe the product only gains resale value and attracts popularity due to the controversies and the furore surrounding the campaign.

The parties have agreed to mediate the terms of the dispute and arrive at a mutually agreeable solution for the dispute.