

Lawsuit Summary – United Naturals, Inc. Complaint against LXR Biotech, LLC and Capital Sales Company

Today, more Americans than ever before are seeking natural products that provide them alternatives for their healthier lifestyle. With the rise in popularity, the number of counterfeit products has also risen. In the fall of 2015, LXR Biotech, LLC and Capital Sales Company began illegally manufacturing and distributing counterfeit Vivazen products across the U.S., deceiving loyal consumers of Vivazen and infringing on Vivazen’s trademark and trade dress.

Made by United Naturals, Inc., Vivazen is a prepared dietary supplement beverage featuring a unique blend of botanical and herbal extracts that may help relieve minor muscle pain and soreness. As consumers have grown to love Vivazen over the years, it has a loyal and growing customer base that understand and trust the quality they’re getting when they purchase real Vivazen. With counterfeit Vivazen on store shelves, consumers may not be getting the quality product they’ve come to know and love.

Counterfeit consumable products like dietary supplements can pose a risk to consumers. Vivazen is a natural product that uses quality ingredients and adheres to Good Manufacturing Practices (GMPs). Its likely counterfeit products are not held to the rigorous ingredient or manufacturing standards Vivazen follows and ultimately the contents may not be what’s listed on the label.

On December 10, 2015 United Naturals, Inc. filed a legal complaint in the United States District Court for the Eastern District of Michigan against LXR Biotech and Capital Sales Company, alleging they committed federal trademark infringement, trade dress infringement, false designation of origin, and unfair competition in the counterfeit manufacturing and distribution of Vivazen under the Trademark Act of 1946.

The complaint further alleges that LXR Biotech and Capital Sales Company committed state and common law trademark infringement, trade dress infringement, unlawful trade practices, counterfeiting of an identifying mark, unfair competition, and unjust enrichment under the laws of the state of Michigan.

The defendants’ wrongful manufacturing and distribution counterfeit Vivazen products across the U.S., are deceiving loyal customers of authentic Vivazen and diminishing the reputation of this valuable brand in favor of their personal profit.

Read the full [complaint](#).