

PeoplesBank Moves To Protect Brand And Avoid Consumer Confusion

HOLYOKE, MA (December 23, 2008) [PeoplesBank](#) has announced that it has filed an Unfair Competition and Trademark Infringement complaint in the U.S. District Court in Springfield, Massachusetts, against People's United Bank and the two Massachusetts banks that it owns, Bank of Western Massachusetts and Flagship Bank and Trust, for False Advertisement and False Designation of Origin, Infringement of State-Registered Service Mark, and Unfair and Deceptive Practices.

PeoplesBank is a state-chartered community bank founded in Holyoke, Massachusetts in 1885. [People's United Bank](#) is a stockholder-owned, federally chartered bank based in Bridgeport, Connecticut, which recently acquired the [Bank of Western Massachusetts](#) and [Flagship Bank and Trust](#) through the purchase of their corporate parent the [Chittenden Corporation](#). People's United Bank filed a complaint against PeoplesBank in the U.S. District Court in Hartford, Connecticut on December 8, 2008, requesting the Court to rule, in part, that it could use the brand People's United Bank in Massachusetts.

“It is clear that People's United Bank is intent on promoting its brand in Western Massachusetts despite the fact that there are two established brands of PeoplesBank and United Bank already operating in the market,” stated Attorney Donald S. Holland, who is representing PeoplesBank in its complaint. “Its promotional signage and advertisement would undoubtedly lead to the misperception that there was a merger between PeoplesBank and United Bank. It would cause significant confusion amongst consumers regarding whether they could bank at all three of the institutions should they have a relationship with one of them. There is already measureable confusion caused by the overlapping of media markets and the close proximity of existing branches. Therefore, PeoplesBank regards any attempt by People's United Bank to rebrand its assets in Western Massachusetts using the term “People's” as an infringement upon our brand.”

Attorney Holland referenced [Commerce Bank & Trust v. TD BankNorth, Inc. and Commerce Bancorp, Inc.](#), based in Worcester, Massachusetts, as an example of a local bank fighting off a trademark infringement initiated by a much larger, out-of-state banking interest. In this matter, the United States District Court granted an injunction prohibiting the defendants from using “Commerce Bank” or any other similarly confusing mark.

“We feel strongly about our brand and the [values](#) it represents,” stated Douglas A. Bowen, President and CEO of PeoplesBank. “The operational principles of a mutual- and state-chartered community bank are very different from those of a federally chartered, stockholder-owned bank operating in several different markets. Promotion of the two brands in this market will certainly cause confusion, which in these turbulent financial times will further burden consumers.”

[PeoplesBank](#), the largest community bank in Hampden and Hampshire counties, offers a full range of personal and commercial financial products and services. Locally based since 1885, the Bank has offices and ATM locations in Amherst, Chicopee, East Longmeadow, Feeding Hills, Granby, Hadley, Holyoke, Longmeadow, Northampton, South Hadley, Springfield, Westfield and online at bankatpeoples.com. PeoplesBank takes its responsibility to the community seriously and was honored by the Boston Business Journal as one of the top corporate charitable contributors in the state at the 2008 Corporate Citizen Summit.

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For Immediate Release

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