

Swiss Clinic and Spa Sues Ritz-Carlton for Damage to Reputation

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Demands Hotel Stop Using La Prairie Name for Spa

The Ritz-Carlton Hotel Company LLC is improperly profiting from "the name, goodwill and reputation" of Clinique La Prairie, the world renowned health spa and medical center in Montreux, Switzerland, famous for its cellular therapy, without having paid Clinique La Prairie for the right to do so, a lawsuit filed today alleges.

The lawsuit, filed in the New York State Supreme Court for the County of New York, accuses the Ritz-Carlton Hotel Company, which operates La Prairie at The Ritz-Carlton Spa at its flagship hotel in New York City, of dilution, damage to reputation and trademark violation. The lawsuit asks the Court to issue an injunction forbidding the defendant "from using the name 'La Prairie' for the spa at the Ritz-Carlton, from referring to Clinique La Prairie in any way in connection with the spa, and from any use of the word 'cellular' in connection with any treatments done with ... products at the Ritz-Carlton."

Clinique La Prairie owner Armin Mattli said: "We believe the Ritz-Carlton is confusing consumers and degrading the reputation of Clinique La Prairie. We believe they are leading customers to think they are getting Clinique La Prairie's unique spa treatment and cellular therapy at a New York hotel. This is not acceptable. No relationship exists between Clinique La Prairie and the Ritz-Carlton spa."

Founded more than 75 years ago and visited by numerous celebrities and world leaders, Clinique La Prairie has been recognized as one of the most sophisticated and advanced spas in the world by numerous publications and organizations such as Forbes.com, Travel + Leisure Magazine and Conde Nast Traveller. The Clinique La Prairie is particularly noted for its Cellular Therapy, involving the injection of a state of the art anti-aging Cellular Extract based on the pioneering rejuvenation work of Prof. Paul Niehans.

The La Prairie at the Ritz-Carlton Spa features the use of La Prairie Inc. cosmetics as part of their "cellular" treatments. However, the lawsuit alleges, Ritz-Carlton has no right to use the name "Clinique La Prairie" or the nearly identical name "La Prairie" for cellular treatment and spa services at the hotel. Moreover, the lawsuit alleges, La Prairie Inc.'s products do not contain any of the anti-aging Cellular Extract developed and used exclusively at the Clinique La Prairie. La Prairie Inc. is a subsidiary of German conglomerate Beiersdorf AG (BEI.DE).

According to the lawsuit, by operating its spa using the name La Prairie and advertising the "cellular" attributes of the products used there, the defendant is "endeavoring to create the illusion of identity, association, affiliation or connection with Clinique La Prairie's internationally renowned spa and cellular therapy services."

The lawsuit points out that the brochure for the "La Prairie at the Ritz-Carlton Spa" advertises a "Scientific Approach to Beauty" and claims that the manufacturer of the cosmetics used at the spa "traces its proud heritage to the highly renowned Clinique La Prairie in Montreux, Switzerland. For more than half a century, the Clinic has been the pioneer in cellular, anti-aging therapy, sharing its unique accomplishments with thousands of visitors from around the world. In 1978, after years of research, scientists at the Clinique La Prairie announced the advent of a Cellular Skin Treatment System that has revolutionized the science of skincare. La Prairie's unique Cellular facials, European, Asian and therapeutic massage ... make La Prairie at The Ritz-Carlton Spa a place to abandon your high-pressure, high-profile life for an hour or more of utter, sybaritic delight."

Next to this claim, according to the lawsuit, is a picture of the historical building of Clinique La Prairie in Montreux.

In addition, according to the lawsuit, on its website the Ritz-Carlton promises that a customer can "escape to a place where La Prairie at The Ritz-Carlton Spa, Switzerland's first stateside spa, inspires renewal." On the website is a picture of the Ritz-Carlton spa reception area which features a representation of the historic Clinique La Prairie building in Montreux.

The lawsuit states: "Throughout the brochure and internet website, Defendant goes on to promote various body and facial treatments and massages at the spa using La Prairie Inc.'s 'Cellular' products. In doing so it creates the ... illusion of identity with the spa and cellular therapy of Clinique La Prairie, and thus ... free-rides on the value and prestige" of the groundbreaking Cellular Therapy work of Clinique La Prairie.

The lawsuit points out that the line of cosmetics marketed by La Prairie Inc. and featured at the Ritz-Carlton Spa contain no Cellular Extract developed by Clinique La Prairie.

According to the lawsuit, Ritz-Carlton is, " ... confusing, misleading or deceiving consumers by claiming that La Prairie's debased 'cellular' products applied at the spa at the Ritz-Carlton follow the reputable path created by Clinique La Prairie through its 'Cellular Therapy.'"

According to the lawsuit, this confusion is highlighted by the fact that consumers who have experienced rashes from using La Prairie Inc. cosmetics have actually sent their complaints to Clinique La Prairie, which has nothing at all to do with the products.

The lawsuit states that the danger to the reputation of Clinique La Prairie is also evident from a recent study of wrinkle creams by Consumer Reports in conjunction with its French counterpart, l'Union Federale des Consommateurs-Que Choisir. The study concluded that "La Prairie Cellular, the most costly product we tested ... was among the least effective."

Source: Clinique La Prairie

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