

Wolfgang Zwiener Files Countersuit Against Wolfgang Puck

2008-06-09

Wolfgang Zwiener, the former veteran head waiter at famed Peter Luger Steakhouse in Brooklyn, NYC and current owner of highly-acclaimed steakhouses in New York, has filed a countersuit against Wolfgang Puck claiming Puck materially breached his contract with Wolfgang Zwiener by challenging Zwiener's use of the name Wolfgang's Steakhouse by Wolfgang Zwiener in connection with Mr. Zwiener's recently opened high-end steak house in Beverly Hills.

Last month, Wolfgang's Steakhouse by Wolfgang Zwiener in Beverly Hills opened to a star-studded crowd. Two weeks after the opening, Puck filed suit against Wolfgang Zwiener claiming trademark infringement. Puck claims that some of his patrons have been confused by his new competition in Beverly Hills. According to the countersuit, Puck is violating a mutual agreement he signed in 2007 allowing Wolfgang Zwiener to open steakhouses outside New York City under the very name that Puck has now challenged. Zwiener's counterclaim alleges that Puck has failed to live up to his end of the bargain by interfering with Wolfgang Zwiener's right to open his steakhouse in Beverly Hills and refusing to meet with Wolfgang Zwiener to discuss ways to address Puck's allegations of confusion.

Wolfgang Zwiener developed a national reputation in the steakhouse business and a huge following through his highly-acclaimed Wolfgang's Steakhouse restaurants in New York and his decades of service as the former head waiter at world famous Peter Luger Steak House. Before then, he served at Luchow's Restaurant, the elegant German restaurant and beer hall that was a cultural icon for many years and remained in operation for a full century. New York Magazine named Wolfgang's Steakhouse 'Best New Steakhouse' in its May 21, 2005 edition. Wolfgang's Steakhouse is listed in ZAGAT Survey's list of America's Top Restaurants, TimeOut New York Eating & Drinking, and the Michelin and BlackBook guides to New York, among other guide books. Zwiener's steakhouses are generally packed and have been known to attract high-profile patrons and celebrities.

Wolfgang Zwiener stated, 'I will not allow Puck to prevent me from using my name at my Beverly Hills steakhouse simply because he claims that some of his friends and patrons have been 'confused.' Peter Zwiener, Wolfgang Zwiener's son and one of the co-owners of Wolfgang's Steakhouse by Wolfgang Zwiener, noted, 'We chose Beverly Hills, California for our first steakhouse outside New York because there was enormous demand by our clientele to open an outpost in L.A. and L.A. is home to many transplanted New Yorkers.' Although Puck claims great surprise in his lawsuit about the opening of the Wolfgang's Steakhouse by Wolfgang Zwiener restaurant in Beverly Hills, the development process for this restaurant was publicly conducted and featured the direct and extensive involvement of the Beverly Hills City Council, which selected Zwiener's restaurant to fill the space, which is owned by the City of Beverly Hills. As Peter Zwiener also noted, 'The City of Beverly Hills even approved the signage that Puck is objecting to.'

Papers filed by Zwiener's attorneys of the firm Cowan, Liebowitz & Latman, P.C. state: 'Despite Puck's melodramatic effort to paint Defendants as villains straight out of 'Casablanca,' ... the actual evidence reflects not a creative Hollywood movie plot, but only a more mundane and entirely legitimate business decision. Defendants expanded into Beverly Hills, as they had an absolute right to do under the Settlement Agreement with Puck, and conducted themselves in complete accordance with that agreement. Defendants sought to build on their own reputation developed as a result of their successful introduction of other 'Wolfgang's Steakhouse' restaurants in New York. While Puck may envision an imaginary world filled with sinister plots to take advantage of his good name, the record evidence simply does not support the Hollywood fiction he seeks to create.'

The Countersuit seeks dismissal of Puck's suit, compensatory damages and reimbursement of attorneys fees and related relief.

This article comes from Hotel News Resource

<http://www.hotelnewsresource.com>

The URL for this story is:

<http://www.hotelnewsresource.com/article32971.html>

© 1998 - 2008 Nevistas and the author.

Brought to you by Hotel News Resource

Distribute your news on our Network

See what all the buzz is about at:

http://www.hotelnewsresource.com/Info-news_account_info.html