**15.28 Trademark Damages—Plaintiff’s Statutory Damages (15 U.S.C. § 1117(c) and (d))**

**Comment**

Statutory damages are available under 15 U.S.C. § 1117(c) and (d). Statutory damages may be awarded against contributory infringers. *Louis Vuitton Malletier, S.A. v. Akanoc Sols., Inc.*, 658 F.3d 936, 944-45 (9th Cir. 2011). A prevailing party who elects to receive statutory damages under § 1117(c) cannot also receive prejudgment interest under § 1117(b). *Y.Y.G.M. SA v. Redbubble, Inc.*, 75 F.4th 995, 1007-09 (9th Cir. 2023).

*Revised March 2024*