

Priority

THE WIDOW: Former opera singer Veronica Atkins, with a portrait of her late husband, decided to shut down his practice.

CEO, had worked together at Times-Mirror Magazines. When the pair, who are both 49, joined Atkins, the company essentially had two products—a line of protein-rich shakes, similar to Slim-Fast, and a line of protein bars, called Atkins Advantage. These two lines sold moderately well, but the business that the partners took over pales in comparison to what they have now: Atkins has introduced more than 100 products in the last three years.

But despite the company's rapid growth, the medical practice—called the Atkins Center for Complementary Medicine—was always Dr. Atkins's primary focus. Located in midtown Manhattan, it had 4,000 active patients in 2003. Devotees came from as far away as Uzbekistan, even though they were required to return for checkups at least every six months.

When Atkins died, a brash, 34-year-old doctor named Keith Berkowitz emerged as his successor at the clinic. Here's where the absence of the founder was most obviously felt. The products company had coexisted peacefully with the practice when Atkins was alive. But though the doctor had founded both businesses, the principals decided that the two entities should split up following his death. The plan was for Berkowitz to buy the practice for an undisclosed sum; as part of the deal, he would give up the Atkins name, which was important to the product marketers.

Then on October 2—just days before Berkowitz was set to ink the deal—Atkins Nutritionals announced in a press release that the center would cease operations 13 days later. Patients were informed that they would need to seek treatment elsewhere. The center's 25 employees were given notice. Berkowitz was stunned.



In a statement, Veronica Atkins said, "It is sad for me to see the medical practice close, but I am gratified to see [my husband's] teachings being accepted and practiced by physicians in this country and around the world." (Through a company publicist, Veron-

UPDATE

THE SWEET SMELL OF A SETTLEMENT

In the end, there was only a terse statement, quietly released on October 22. Jennifer Lopez, perfume giant Coty Inc., and Lopez's company, Sweetface Fashion, had decided to settle the lawsuit brought against them by Terri Williamson of Glow Industries for infringement of her trademark. Williamson, who had been prepared to go to trial, agreed to phase out her use of the Glow mark on her body care and fragrance products; Lopez would continue to own and use the Glow by J.Lo mark for her fragrance and other products. "The other terms of the settlement agreement were not disclosed," the press release concluded.

It doesn't take a genius, however, to figure out that a large sum of money changed hands. Williamson had already concluded last January that she would have to rebrand her business in the face of the saturation marketing campaign accompanying the launch of Glow by J.Lo. (See "Whose Brand Is It, Anyway?" May 2003.) She also knew that starting over would be expensive. "I had to change my strategy," she says. "Before, I'd been trying to protect the name and keep them from using it. When I realized I'd have to change it even if I won the case, I began to

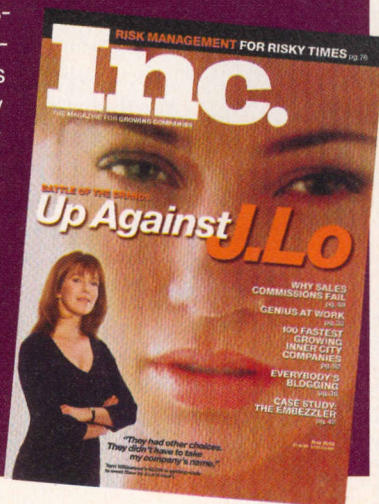
focus on receiving a fair and reasonable value for the brand I'd created." And did she get it? "I'm very happy with the way things worked out," she says, choosing her words carefully. "I think both parties are." A spokesman for Jennifer Lopez and Sweetface said they had no comment.

In the days after the settlement, Williamson says, "I started getting really excited about re-visioning the whole business, which is—I have to say—a lot of fun." And the new name? "I have some possibilities," she says. "I'm planning to ask my customers for suggestions. If anybody has ideas, I'd love to hear them." You can send ideas to contact@glowspot.com.

Bo Burlingham

"I'M VERY HAPPY WITH THE WAY THINGS WORKED OUT."

ENTREPRENEUR TERRI WILLIAMSON, WHO SETTLED HER SUIT AGAINST J.LO



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