

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77092801
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 102
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<p>Applicant requests that the Examining Attorney reconsider her refusal to accept the claim of acquired distinctiveness as to the word PLATINO and her continued requirement that the Applicant submit a disclaimer of PLATINO apart from the mark as shown.</p> <p>First, Applicant submits that the claim of five years use of the mark PLATINO and JOSE CUERVO PLATINO should be sufficient to support the acquired distinctiveness of the mark, including the PLATINO element of the mark. The Applicant disagrees with the Examining Attorney’s conclusion that PLATINO is a highly descriptive designation. The Applicant submits that this conclusion is not warranted based on the evidence of record. The evidence of record shows that some third parties use the word PLATINUM in connection with trademarks for “tequila,” however, these materials do not show that the other parties are using the word descriptively. Although these records may show that the word PLATINUM is weak or diluted with respect to “tequila,” they do not show that this word is descriptive of these goods and do not show that the distinguishable word PLATINO is either highly descriptive or even merely descriptive. There are many non-descriptive terms in common usage. These terms may be determined to be weak and given a narrow degree of protection but common use alone does not render a term descriptive.</p> <p>The Applicant attaches excerpts of a translation of the Official Mexican Standard of Quality for Tequila, NOM-006-SCFI-2005 which establishes the characteristics and specifications which must be met for a product to be certified as “tequila.” As shown in Section 5.2 of this The Tequila Standard, the recognized classes of tequila are: Blanco or Plata, Joven or Oro, Reposado, Anejo and Extra Anejo. Section 5.2.2. further provides that for the international market the classification may be replaced by their translations into the applicable language or as follows:</p> <p>Silver for Blanco or Plata</p> <p>Gold for Joven or Oro</p> <p>Aged for Reposado</p> <p>Extra aged for Anejo</p>	

Ultra Aged for Extra Anejo,

Thus, under Mexican Law, which governs the production of all tequila sold in the United States, these are the only terms which describe a class or type of tequila. As neither the word PLATINUM, nor PLATINO is among these accepted designations, these terms do not describe a type of Tequila. Rather, one must conclude that the third party uses of PLATINUM are part of their trademarks, not part of the description of the goods. As applied to the evidence of record attached to the official letter of October 15, 2014, the Applicant notes the following:

1. The first record shows the sale of EL TESORO PLATINUM TEQUILA on the website [www.astorwines.com](http://www.astorwines.com). The record is difficult to read, however, there is no indication from this record that PLATINUM is being used as a descriptive word, rather than as part of the trademark for the goods. In fact, as shown by the attached TSDR record the mark EL TESORO PLATINUM is registered without a disclaimer of PLATINUM as is EL TESORO PLATINUM DE DON FELIPE.
2. The same holds true for the second record which shows the sale of GRAN PATRON TEQUILA SILVER PLATINUM on the website [www.winechateau.com](http://www.winechateau.com). There is nothing in this record which suggests that PLATINUM describes the type of tequila. Rather, the word “silver” is a recognized type of tequila. If “platinum” was also intended to identify the type of tequila the two words together would be redundant. In fact, a closer look at the bottle pictured shows that GRAN PATRON PLATINUM appears before the wording SILVER TEQUILA which suggests that the trademark for the goods is GRAN PATRON PLATINUM and the classification of the tequila is “silver.”
3. The third record shows the sale of DON RAMON PLATINUM at [www.qualityliquorstore.com](http://www.qualityliquorstore.com). Here too, DON RAMON PLATINUM appears to be the trademark for the goods, not a description of the goods. A close look at the bottle shows that the goods are identified as “silver” tequila.
4. The recipes appearing on the third record on the website [www.azuniatequila.com](http://www.azuniatequila.com) also belie the use of PLATINUM as a descriptive designation. In the relevant recipes the tequila ingredient is identified as “Avunia Plantinum Blanco Tequila.” Here “blanco” describes the classification of tequila, not “platinum.” If the two were interchangeable, as suggested by the Examining Attorney, it would not make sense to have the terms juxtaposed.
5. The excerpted article from *Men’s Journal* reports on a new premium tequila sold under the mark QUI PLATINUM. As discussed in the article this is an “extra anejo” tequila which is “a clear blanco.” There is nothing in this article showing use of PLATINUM as a descriptive term. The wording “extra anejo” describes the classification of the tequila.
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7. The Pinterest records submitted by the Examining Attorney picture the brands discussed above and possible other third party uses of PLATINUM as part of a trademark but the information provided is insufficient to determine the specific nature of these goods and whether or not they are sold in the United States. Applicant submits that these do not show any descriptive significance of

PLANTINUM and have no relevance to the strength of the term PLATINO.

The evidence submitted with the Examining Attorney's earlier office action similarly shows third party marks incorporating the term PLATINUM, but not that this is a descriptive designation. The only exceptions are two non-authoritative sources which incorrectly include "platinum" as a "type" or classification of tequila. It is notable however, that both of these references include both Spanish and English terminology for identifying "tequila," but do not show use of PLATINO. Thus, even in Spanish PLATINO is not a word which would be understood to have a descriptive meaning for tequila.

In view of the above, there should at least be some doubt as to whether PLATINO is a descriptive, rather than a suggestive term. These doubts should be resolved in favor of the Applicant. Nevertheless, even if the Examining Attorney remains of the opinion that the mark is descriptive, Applicant submits that the evidence of acquired distinctiveness should be sufficient to allow the registration of the mark without a disclaimer of PLATINO.

As further evidence of the acquired distinctiveness of PLATINO and JOSE CUERVO PLATINO, Applicant attaches a declaration attesting to the substantial market penetration of the JOSE CUERVO PLATINO brand of tequila. Since 2007, JOSE CUERVO PLATINO has made over \$8 million in U.S. sales with over 99,000 cases sold in the United States in a less than seven year period. As shown by the advertisements for the goods attached to the declaration, the PLATINO portion of the mark is prominently displayed and highlighted in such a way that consumers will recognize PLATINO as serving a source indicating function both alone and as part of the composite mark JOSE CUERVO PLATINO. Applicant submits that these significant sales, advertising and the long period of use of the mark readily establish acquired distinctiveness.

For the reasons above, Applicant requests that the Examining Attorney withdraw the disclaimer requirement.

## EVIDENCE SECTION

### EVIDENCE FILE NAME(S)

<b>ORIGINAL PDF FILE</b>	<a href="#">evi_216759226-20150415214302924973_.PLATINO_DEC_SIGNED.pdf</a>
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<b>ORIGINAL PDF FILE</b>	<a href="#">evi_216759226-20150415214302924973_.MEXICAN_TEQUILA_STANDARD_EXCERPT.pdf</a>
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<b>ORIGINAL PDF FILE</b>	<a href="#">evi_216759226-20150415214302924973_.EL_TESORO_DE_DON_FELIPE_REGISTRATION.pdf</a>
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<b>ORIGINAL PDF FILE</b>	<a href="#">evi_216759226-20150415214302924973_.EL_TESORO_PLATINUM_REGISTRATION.pdf</a>
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<b>ORIGINAL PDF FILE</b>	<a href="#">evi_216759226-20150415214302924973_.AMBHAR_EXCERPT.pdf</a>
<b>CONVERTED PDF FILE(S) (3 pages)</b>	<a href="\\TICRS\EXPORT16\IMAGEOUT16\770\928\77092801\xml26\RFR0024.JPG">\\TICRS\EXPORT16\IMAGEOUT16\770\928\77092801\xml26\RFR0024.JPG</a>
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<b>DESCRIPTION</b>	1. Declaration of Ricardo Juarez in support of acquired distinctiveness. 2. Mexican

<b>OF EVIDENCE FILE</b>	Tequila Standard. 3. Copies of registratins for EL TESORO PLATINUM 4. Website excerpt.
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/mam/
<b>SIGNATORY'S NAME</b>	Marie Anne Mastrovito
<b>SIGNATORY'S POSITION</b>	Attorney of record
<b>SIGNATORY'S PHONE NUMBER</b>	212 949 9022
<b>DATE SIGNED</b>	04/15/2015
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Wed Apr 15 21:59:58 EDT 2015
<b>TEAS STAMP</b>	USPTO/RFR-216.75.92.26-20 150415215958343063-770928 01-530acb681d19c3d43b3b63 72d31198cbbd7347b77799918 80f6fd6375d28c9-N/A-N/A-2 0150415214302924973

**Request for Reconsideration after Final Action  
To the Commissioner for Trademarks:**

Application serial no. **77092801** has been amended as follows:

**ARGUMENT(S)**

**In response to the substantive refusal(s), please note the following:**

Applicant requests that the Examining Attorney reconsider her refusal to accept the claim of acquired distinctiveness as to the word PLATINO and her continued requirement that the Applicant submit a disclaimer of PLATINO apart from the mark as shown.

First, Applicant submits that the claim of five years use of the mark PLATINO and JOSE CUERVO PLATINO should be sufficient to support the acquired distinctiveness of the mark, including the PLATINO element of the mark. The Applicant disagrees with the Examining Attorney's conclusion that PLATINO is a highly descriptive designation. The Applicant submits that this conclusion is not warranted based on the evidence of record. The evidence of record shows that some third parties use the word PLATINUM in connection with trademarks for "tequila," however, these materials do not show that the other parties are using the word descriptively. Although these records may show that the word PLATINUM is weak or diluted with respect to "tequila," they do not show that this word is descriptive of these goods and do not show that the distinguishable word PLATINO is either highly descriptive or even merely descriptive. There are many non-descriptive terms in common usage. These terms may be determined to be weak and given a narrow degree of protection but common use alone does not render a term descriptive.

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Silver for Blanco or Plata

Gold for Joven or Oro

Aged for Reposado

Extra aged for Anejo

Ultra Aged for Extra Anejo,

Thus, under Mexican Law, which governs the production of all tequila sold in the United States, these are the only terms which describe a class or type of tequila. As neither the word PLATINUM, nor PLATINO is among these accepted designations, these terms do not describe a type of Tequila. Rather, one must conclude that the third party uses of PLATINUM are part of their trademarks, not part of the description of the goods. As applied to the evidence of record attached to the official letter of October 15, 2014, the Applicant notes the following:

1. The first record shows the sale of EL TESORO PLATINUM TEQUILA on the website [www.astorwines.com](http://www.astorwines.com). The record is difficult to read, however, there is no indication from this record that PLATINUM is being used as a descriptive word, rather than as part of the trademark for the goods. In fact, as shown by the attached TSDR record the mark EL TESORO PLATINUM is registered without a disclaimer of PLATINUM as is EL TESORO PLATINUM DE DON FELIPE.
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3. The third record shows the sale of DON RAMON PLATINUM at [www.qualityliquorstore.com](http://www.qualityliquorstore.com) . Here too, DON RAMON PLATINUM appears to be the trademark for the goods, not a description of the goods. A close look at the bottle shows that the goods are identified as “silver” tequila.
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For the reasons above, Applicant requests that the Examining Attorney withdraw the disclaimer requirement.

## **EVIDENCE**

Evidence in the nature of 1. Declaration of Ricardo Juarez in support of acquired distinctiveness. 2. Mexican Tequila Standard. 3. Copies of registrations for EL TESORO PLATINUM 4. Website excerpt. has been attached.

### **Original PDF file:**

[evi\\_216759226-20150415214302924973\\_.PLATINO\\_DEC\\_SIGNED.pdf](#)

**Converted PDF file(s)** ( 4 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

### **Original PDF file:**

[evi\\_216759226-20150415214302924973\\_.MEXICAN\\_TEQUILA\\_STANDARD\\_EXCERPT.pdf](#)

**Converted PDF file(s)** ( 10 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

### **Original PDF file:**

[evi\\_216759226-20150415214302924973\\_.EL\\_TESORO\\_DE\\_DON\\_FELIPE\\_REGISTRATION.pdf](#)

**Converted PDF file(s)** ( 4 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

### **Original PDF file:**

[evi\\_216759226-20150415214302924973\\_.EL\\_TESORO\\_PLATINUM\\_REGISTRATION.pdf](#)

**Converted PDF file(s)** ( 4 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

### **Original PDF file:**

[evi\\_216759226-20150415214302924973\\_.AMBHAR\\_EXCERPT.pdf](#)

**Converted PDF file(s)** ( 3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /mam/ Date: 04/15/2015

Signatory's Name: Marie Anne Mastrovito

Signatory's Position: Attorney of record

Signatory's Phone Number: 212 949 9022

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77092801

Internet Transmission Date: Wed Apr 15 21:59:58 EDT 2015

TEAS Stamp: USPTO/RFR-216.75.92.26-20150415215958343

063-77092801-530acb681d19c3d43b3b6372d31

198cbbd7347b7779991880f6fd6375d28c9-N/A-

N/A-20150415214302924973

**ABELMAN, FRAYNE & SCHWAB**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**DECLARATION OF ACQUIRED DISTINCTIVENESS**

**Applicant:** Tequila Cuervo la Rojeña, S.A. de C.V.

**Serial No.:** 77/092801

**Filed:** January 27, 2007

**Trademark:** JOSE CUERVO PLATINO

**Class:** 33

The undersigned, Ricardo Juarez Aviña, declares:

1. That he/she is knowledgeable concerning the marketing, and use of the mark shown in the identified application in the United States; and
2. That the Applicant has sold tequila under the marks PLATINO and JOSE CUERVO PLATINO continuously in U.S. commerce for over 7 years preceding the filing of this declaration; and
3. That the trademark PLATINO by itself and in connection with the mark JOSE CUERVO PLATINO has become distinctive as used in connection with Applicant's goods based not only on the long period of use of the mark, but also as a result of the substantial sales and advertising of the product in the United States.
4. Since first use of the mark in 2007, sales of tequila bearing the PLATINO and JOSE CUERVO PLATINO trademarks have exceeded \$8,000,000. During this time period over 99,000 cases of the product have been sold in the U.S.
5. In addition, Applicant has made substantial advertising expenditures promoting the JOSE CUERVO PLATINO product. Samples of advertising are attached hereto.
6. As a result of the many years of use of the mark, the significant sales of the goods and the large expenditure in promoting the goods, the designation PLATINO in the mark JOSE CUERVO PLATINO has acquired distinctiveness and will be recognized as serving a source indicating function in connection with tequila rather than as a descriptive term.

All statements made on my own knowledge are true and that all statements made on information and belief are believed to be true and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting thereof.

By:   
RICARDO JUNCO - A/T/A

Title: ATTORNEY IN FACT

Date: APRIL 4, 2015

**PLATINO LEADERSHIP AWARDS 2012**

JOSE CUERVO TEQUILA HONORS LEADERS FOR THEIR OUTSTANDING SERVICE TO THE LATINO COMMUNITY

Hosted by **Francisco Delgado**

ALPHA - SHERRON HERRERA - CHISPPA  
WEDNESDAY MAY 2ND  
6PM-9PM

at CIGAR BAR  
240 MONTGOMERY STREET  
SAN FRANCISCO, CA 94133

DRINK SPECIALS DJ, APPETIZERS  
Rsvp BY MAY 1ST AT

NO NEIGHBOR AND GREEN UPON THE LEFT  
OF THE

PLEASE DRINK RESPONSIBLY  
THE STATE OF CALIFORNIA HAS DETERMINED THAT THE CONSUMPTION OF ALCOHOLIC BEVERAGES FROM THE FOLLOWING SOURCE

**PLATINO HOUR**

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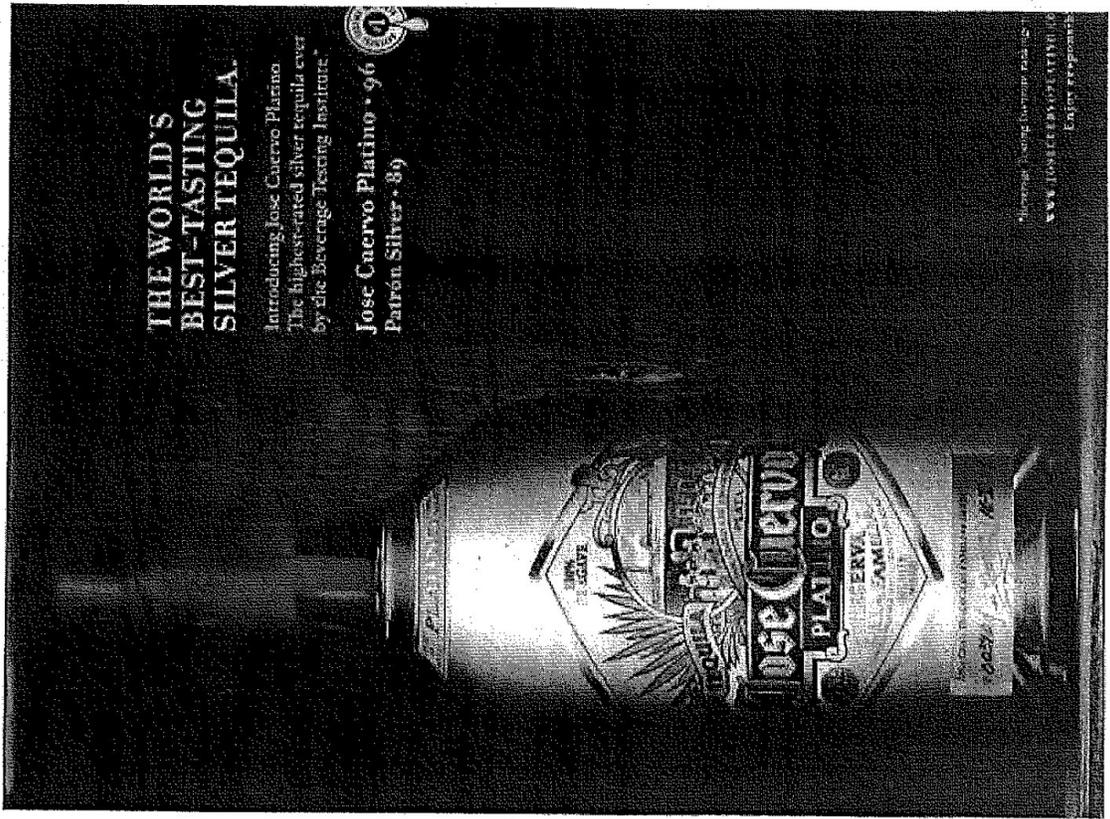


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**NOM-006-SCFI-2005**  
**COURTESY TRANSLATION**

**OFFICIAL MEXICAN STANDARD FOR TEQUILA**

**NOM-006-SCFI-2005**

**ALCOHOLIC BEVERAGES – TEQUILA – SPECIFICATIONS**

**0 INTRODUCTION**

This Official Mexican Standard relates to the Appellation of Origin of "Tequila," held by the Mexican government pursuant to the Industrial Property Law. The issuance of this NOM is necessary, pursuant to point 2 of the General Declaration of Protection of the Appellation of Origin of "Tequila," published in the Official Gazette of Mexico on October 13, 1977 (hereinafter, the "Declaration") and Article 40 Section XV of the Federal Weights and Measures and Standardization Act.

**1 PURPOSE**

This NOM establishes the characteristics and specifications to be met by those involved in the production chain, industry and trade of Tequila, in accordance with the process defined below.

**2 SCOPE OF APPLICATION**

This NOM applies to all processes and activities related to the supply of agave, production, bottling, marketing, information and business practices linked to the distilled alcoholic beverage known as Tequila, pursuant to the specifications of this NOM. Said beverage is subject to the process detailed below, using Agave of the species *tequilana weber blue variety*, grown in the federal states and municipalities indicated in the Declaration.

Furthermore, this NOM establishes the technical specifications and legal requirements for the protection of the Appellation of Origin of "Tequila," in accordance with the current General Declaration of Protection of the Appellation of Origin of "Tequila," the Law, the Industrial Property Law, the Federal Consumer Protection Act and other related legal provisions.

**3 REFERENCES**

In order to verify the specifications set forth in this NOM, the Official Mexican Standards, Mexican Standards, specifications, procedures and test methods currently in force, or those replacing them, shall apply. Those are listed as follows:

**3.1 Official Mexican Standards**

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NOM-030-SCFI-1993,	Commercial information of quantity statement on label- Specifications, published in the <b>Official Gazette of Mexico</b> on October 29,1993.
NOM-106-SCFI-2000,	Design characteristics and conditions for use of the official countersign, published in the <b>Official Gazette of Mexico</b> on February 2, 2001.
NOM-117-SSA1-1994	Goods and services - test methods for the identification of cadmium, arsenic, lead, tin, copper, iron, zinc and mercury in food and drinking water by spectometry of anatomic absorption, published in the <b>Official Gazette of Mexico</b> on August 16,1995.
NOM-120-SSA1	Goods and services - hygiene and health practices for the processing of foods, alcoholic and non-alcoholic beverages, published in the <b>Official Gazette of Mexico</b> on August 28, 1995.
NOM-142-SSA1	Goods and services - alcoholic beverages - health specifications. Health and commercial labeling, published in the <b>Official Gazette of Mexico</b> on July 9, 1997.
NOM-127-SSA1-1994	Environmental Health, Water for use and human consumption. Allowed limits for quality and treatments to which water must be subjected to make it drinkable, published in the <b>Official Gazette of Mexico</b> on January 18, 1996.

### 3.2 Mexican Standards

NMX-V-004-NORMEX-2005	Alcoholic Beverages - Determination of furfural. Test methods, published in the <b>Official Gazette of Mexico</b> on June 23, 2005.
NMX-V-005-NORMEX-2005	Alcoholic Beverages- Determination of esters, aldehydes, methanol and higher alcohols (fusel oils) – Test methods, published in the <b>Official Gazette of Mexico</b> on June 23, 2005.
NMX-V-006-NORMEX-2005	Alcoholic beverages – determination of direct reducing sugars and total sugars - Test methods, published in the <b>Official Gazette of Mexico</b> on June 23, 2005.
NMX-V-013-NORMEX-2005	Alcoholic beverages - Determination of alcohol content (percentage of alcohol by volume at 293 k (20°C)(% alc. vol.) - Test methods, published in the <b>Official Gazette of Mexico</b> on June 23, 2005.
NMX-V-017-NORMEX-1995	Alcoholic beverages - Determination of dry extract and ash - Test methods, published in the <b>Official Gazette of Mexico</b> on June 23, 2005.

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NMX-V-049-NORMEX-2004      Alcoholic beverages - Alcoholic beverages containing tequila- Naming, labeling and specifications, published in the **Official Gazette of Mexico** on May 21, 2004.

#### **4 Definitions**

For purposes of this NOM, the following definitions, in alphabetical order (in Spanish) shall apply:

##### **4.1 Mellowing**

Procedure to soften the flavor of the Tequila, through the addition of one or more of the following ingredients:

- Caramel coloring
- Natural oak or Encino oak extract (holm or holm oak extract).
- Glycerin
- Sugar-based syrup

##### **4.2 Agave**

For purposes of this NOM, the plant from the *Agavaceas* family, with long, fibrous, lanceolate leaves of a bluish color whose useable part in the manufacture of Tequila is the heart or head.

The only species allowed for purposes of this NOM, is the *tequilana weber blue variety*, grown and harvested within the territory specified in the Declaration.

##### **4.3 Good Manufacturing Practices**

The set of guidelines and interrelated standards and procedures intended to ensure that Tequila is consistently manufactured according to its specifications.

##### **4.4 Declaration**

The General Declaration of Protection of the Appellation of Origin of "Tequila," published in the **Official Gazette of Mexico** on October 13, 1977 and its subsequent amendments and additions.

##### **4.5 Agency**

Any agency, pursuant to Article 26 of the Federal Public Administration Act.

##### **4.6 Distillation**

It's the separation of the components of a liquid mix by partial steaming and recuperating of the steam and its residues; in other words, it is the separation of a mix of substances, where the volatile ones are separated or fractured from the non volatile substances. The alcoholic distillation is based in that the ethylic alcohol, being lighter than water, steams at a lower

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temperature than the boiling point of water. The steam that rises can be condensed and converted into liquid with a high alcohol content.

**4.7 DGN**

Directorate General of Standards of the Ministry of the Economy.

**4.8 DOT**

Appellation of Origin of Tequila.

**4.9 Label**

Any tag, insignia, inscription, image or other description or graphical representation, whether printed, stamped, engraved, embossed, placed by photogravure, stenciled or adhered to the product container or packaging.

**4.10 Bottling**

It is the action of pouring or introducing any material or product in the recipients that will contain it with the purpose of conserving it, protecting its physical and chemical stability and marketing.

**4.11 Container**

Any new container or recipient destined to keep Tequila and to enter in contact with it, conserving its physical, chemical, sensorial and sanitary integrity.

**4.12 Extraction**

The mechanical, physical, chemical, biological procedure or combination thereof that allows for the separation of the sugars or carbohydrates of the agave.

**4.13 Fermentation**

The transformation of the sugars of vegetable origin into ethylic alcohol and carbon dioxide, with the creation of other compounds that will contribute to the final sensorial characteristics of Tequila.

**4.14 Filtration**

The process of separating the solid particles present in Tequila, through a filtration agent.

**4.15 Formulation**

The stage previous to the fermentation, where the musts are prepared to obtain adequate fermentation conditions and, depending on the case, to comply with the 51% in mass of direct reducing sugars obtained from the agave.

**4.16 Hydrolysis**

The chemical, thermal, enzymatic procedure or combination thereof, that has the purpose of breaking the complex carbohydrates contained in the agave, mainly the inuline, to obtain simple sugars suitable for fermentation.

**4.17 IMPI**

The Mexican Industrial Property Institute.

**4.18 Jima**

Action that consists in removing the agave leaves from its heart.

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**4.19 Act**

The Federal Weights and Measures and Standardization Act.

**4.20 Minimum and Maximum Limits**

The quantity set in this NOM for which no tolerance is allowed.

**4.21 Lot or Batch**

The quantity of a product bottled during a single period of time to ensure its identification.

**4.22 Tequila Aging**

The slow transformation that allows the product to acquire additional sensorial characteristics, obtained through physical-chemical processes that take place naturally while the product is resting in oak or Encino oak (holm or holm oak) containers.

**4.23 Maquila (Sub contracting)**

Any activity concerning the manufacturing process of an authorized producer that is sent to another authorized producer to be completed by him or her.

**4.24 Cold Mixing**

They consist of adding or mixing any alcoholic beverage different to Tequila during the manufacturing stages of Tequila, including the finished product.

**4.25 Musts**

Sugary liquid, obtained from the extraction of the hydrolyzed agave and added with other sugars, according to this NOM, ready to be fermented.

**4.26 NMX**

Mexican Standard.

**4.27 NOM**

Official Mexican Standard.

**4.28 Manufacturing Stages**

The stages in the Tequila-making process during which the raw materials undergo chemical, biochemical and physical changes until a specific product is obtained in each stage. The basic stages of the process include the following among others: harvest or jima, hydrolysis, extraction, formulation, fermentation, distillation, aging, as applicable, filtration and bottling.

**4.29 Compliance or Conformity Assessment Agency**

The Regulatory Council or individual accredited and approved pursuant to the Act to verify compliance with this NOM.

**4.30 Authorized Producer**

The individual or legal entity authorized by the DGN and the IMPI, in accordance with their respective authority, to engage in the manufacture of Tequila in facilities that must be located within the territory specified in the Declaration. Such authorization is subject to compliance with the provisions of this NOM and other applicable regulations.

**4.31 PROFECO**

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The Federal Consumer Protection Agency.

**4.32 SE**

The Ministry of the Economy.

**4.33 Primary Display Panel**

Area where the appellation of origin and product's brand appear according to NOM-030-SCFI (see chapter 3, References).

**4.34 Tequila**

The regional alcoholic beverage obtained by distilling musts, prepared directly and originally from extracted material, in the manufacturing facilities of an Authorized Producer, which must be located in the territory specified in the Declaration, derived from the hearts of *tequilana weber blue variety* Agave, previously or subsequently hydrolyzed or cooked, and subjected to alcoholic fermentation with cultivated or uncultivated yeasts, wherein said musts may be enhanced and blended together before fermentation with other sugars up to a proportion no greater than 49% of total reducing sugars expressed in units of mass, pursuant to this Official Mexican Standard, and with the understanding that cold mixing is not permitted. Tequila is a liquid that, according to its type, is colorless or colored when aged in oak or Encino oak (holm or holm oak) wood containers, or when mellowed without aging.

Tequila may be enhanced by the addition of sweeteners, coloring, aromatizers and/or flavorings permitted by the Ministry of Health in order to provide or intensify its color, aroma and/or flavor.

Reference to the term "Tequila" in this NOM is understood to apply to the two categories indicated in Chapter 5, except for express references to "100% agave" Tequila.

**4.34.1 Silver Tequila (*Blanco*)**

A product whose commercial alcohol content must be adjusted by dilution with water.

**4.34.2 Gold Tequila (*Joven* or *Oro*)**

A product that may be enhanced by mellowing and whose commercial alcohol content must be adjusted by dilution with water.

The result of blending silver Tequila with aged and/or extra-aged or ultra-aged Tequila is considered gold Tequila.

**4.34.3 Aged Tequila (*Reposado*)**

A product which may be enhanced by mellowing, subject to an aging process of at least two months in direct contact with the wood of oak or Encino oak (holm or holm oak) containers. Its commercial alcohol content must be adjusted by dilution with water, as applicable.

The result of blending aged Tequila with extra-aged or ultra aged Tequila is considered aged Tequila.

**4.34.4 Extra-aged Tequila (*Añejo*)**

A product that may be enhanced by mellowing, subject to an aging process of at least one year in direct contact with the wood of oak (holm or holm oak) or Encino oak containers with

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a maximum capacity of 600 liters. Its commercial alcohol content must be adjusted by dilution with water.

The result of blending extra-aged Tequila with ultra-aged Tequila is considered extra-aged Tequila.

**4.34.5 Ultra-aged Tequila (Extra Añejo)**

A product that may be enhanced by mellowing, subject to an aging process of at least three years, without specifying the aging time in its label, in direct contact with the wood of oak (holm or holm oak) or Encino oak containers with a maximum capacity of 600 liters. Its commercial alcohol content must be adjusted by dilution with water.

**5 Classification**

**5.1 Categories**

Tequila is classified in one of the following two categories, based on the percentage of natural Agave sugars used in its production:

**5.1.1 "100% agave"**

Pursuant to Section 4.34 of this NOM, a product whose fermentation may not be enhanced with sugars other than those obtained from the *tequilana weber* blue variety Agave grown in the territory specified in the Declaration. For the product to be considered "100% agave" Tequila, it must be bottled in the bottling plant controlled by the Authorized Producer, which must be located within the territory specified in the Declaration.

This product must be labeled using one of the following statements: "100% de agave," "100% puro de agave," "100% agave," or "100% puro agave," to which the word "azul" ["blue"] may be added.

**5.1.2 "Tequila"**

The product defined in paragraph one of Section 4.34 of this NOM whose musts may be enhanced and blended together during the formulation stage and prior to fermentation with other sugars in a proportion not to exceed 49% of total reducing sugars expressed in units of mass. This maximum enhancement of up to 49% of total reducing sugars expressed in units of mass may not be done with sugars from any species of Agave. The 51% of total reducing sugars expressed in units of mass may only be enhanced with *tequilana weber blue variety* Agave grown in the territory specified in the Declaration.

This product may be bottled in plants not belonging to an authorized producer under strict compliance by the bottler of the conditions set forth in Section 6.5.4.2 and other applicable provisions of this NOM.

**5.2 Classes**

**5.2.1** Based on the characteristics acquired in processes subsequent to distillation, Tequila is classified as:

- *Blanco or Plata*
- *Joven or Oro*
- *Reposado*

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- o *Añejo*
- o *Extra Añejo*

**5.2.2** For the international market, the classifications referenced in the foregoing paragraphs may be replaced by their translations into the applicable language, or by the following:

- o "Silver" for *Blanco or Plata*
- o "Gold" for *Joven or Oro*
- o "Aged" for *Reposado*
- o "Extra-aged" for *Añejo*
- o *Ultra-aged for Extra Añejo*

**6 Specifications**

**6.1 Product Specifications**

**6.1.1** The product covered under this NOM shall comply with the specifications set forth below:

**TABLE 1- PHYSICAL-CHEMICAL SPECIFICATIONS FOR TEQUILA**

Parameters	Silver Tequila		Gold Tequila		Aged Tequila		Extra Aged Tequila		Ultra Aged Tequila		Test Method based on: (1)
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	
Alcohol Content at 293 K (20°C) (% Alc. Vol.)	35	55	35	55	35	55	35	55	35	55	NMX-V-013-NORMEX
Dry Extract (g/l)	0	0,30	0	5	0	5	0	5	0	5	NMX-V-017-NORMEX
Values expressed in mg/100 ml of Absolute (Anhydrous) Alcohol											
Higher Alcohols (alcohols with molecular weight higher than ethyl alcohol or fusel oil) (E.g. Amyl Alcohol)	20	500	20	500	20	500	20	500	20	500	NMX-V-005-NORMEX

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Methanol (2)	30	300	30	300	30	300	30	300	30	300	NMX-V-005-NORMEX
Aldehydes (such as acetaldehyde)	0	40	0	40	0	40	0	40	0	40	NMX-V-005-NORMEX
Esters (such as ethyl acetate)	2	200	2	200	2	250	2	250	2	250	NMX-V-005-NORMEX
Furfural	0	4	0	4	0	4	0	4	0	4	NMX-V-004-NORMEX
<p>(1) For details see Chapter 3.</p> <p>(2) The minimum parameter may be reduced if the Tequila producer demonstrates to the Conformity Assessment Agency that the reduction of methanol content by another process is viable.</p>											

**6.1.1.1** When the tequilas defined in sections 4.34.1, 4.34.2, 4.34.3, 4.34.4, 4.34.5 are added with sweeteners, coloring, aromatizers and/or flavorings permitted by the Ministry of Health in order to provide or intensify their color, aroma and/or flavor, the total reducing sugars shall have a maximum limit of 75 g/L, according to the NMX-V-006-NORMEX and their dry extract shall have a maximum limit of 85 g/L, according to the NMX-V-017-NORMEX (see chapter 3, References). For purposes of this paragraph, compliance with Sub-section 11.1.c) is required.

**6.1.2** If necessary to obtain the required commercial alcohol content, potable, distilled or demineralized water shall be used for dilution, according to NOM-127-SSA1 (see chapter 3, References).

**6.1.3** For purposes of this NOM, the health specifications related to heavy metals and metalloids contained in Official Mexican Standard NOM-142-SSA1 (see Chapter 3 References) shall apply. Official Mexican Standard NOM-117-SSA1 (see Chapter 3 References) shall be considered for such purposes. Said specifications may be verified by the competent authorities and, therefore, its certification, in terms of this NOM is not required.

**6.2 Agave Specifications**

The Agave used as the raw material for Tequila production shall be of the species *tequilana weber blue variety*, grown and harvested in the territory specified in the Declaration and registered with the registry indicated in point 6.5.1.1 of this NOM.

**6.3 Other Sugars**

The product covered under this NOM may be enhanced with other sugars in the formulation process up to a proportion not to exceed 49% of total reducing sugars expressed in units of

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mass for the Tequila referenced in Section 5.1.2; however, cold mixing is not permitted. This maximum enhancement of up to 49% of total reducing sugars expressed in units of mass may not be done with sugars from any species of Agave. The 51% of total reducing sugars expressed in units of mass may only be enhanced with *tequilana weber blue variety* Agave grown in the territory specified in the Declaration.

**6.4 Aging**

In the case of aged Tequila (*reposado*), the product shall be aged in direct contact with the wood of oak or Encino oak (holm or hol oak) containers for at least two months.

For extra-aged Tequila (*añejo*), the aging process shall last at least one year in direct contact with the wood of oak or Encino oak (holm or holm oak) containers with a maximum capacity of 600 liters.

For ultra-aged Tequila (extra *añejo*), the aging process shall last at least three years in direct contact with the wood of oak or Encino oak (holm or holm oak) containers with a maximum capacity of 600 liters.

The aging of the Tequila shall be performed by the Authorized Producer within the territory specified in the Declaration.

**6.5 Tequila Authenticity Specifications**

**6.5.1 Agave**

The Agave used as the raw material for Tequila production shall meet the requirements set forth below:

**6.5.1.1** It shall be duly registered with the Plantation Property Registry established for such purposes by the Conformity Assessment Agency. Registration shall be done within the first year of planting at the latest.

This obligation shall be the responsibility of the producers or title holders of *tequilana weber blue variety* Agave grown in the territory specified in the Declaration who sell or plan to sell said agave to Authorized producers.

The Authorized Producers shall be responsible for obtaining written confirmation of registration from the individuals or legal entities from whom they purchase or plan to purchase the *tequilana weber blue variety* Agave grown in the territory specified in the Declaration.

The Plantation Property Registry shall also include the identification of all Agave that has been committed by any legal means for use in the production of Tequila. Registration of this identification with said registry shall be the responsibility of the owner or title holder of the Agave.

**6.5.1.2** It shall be supervised by the Compliance Assessment Agency to confirm compliance with the requirements set forth in Sections 6.2, 6.5 and Sub-section 6.5.1.1.

**6.5.2 Use of Sugars**



<b>Address:</b>	<b>Authorized:</b>
<b>Correspondent</b>	
<b>Correspondent Name/Address:</b>	Claudia W. Stangle LEYDIG VOIT & MAYER, LTD. Two Prudential Plaza, 180 N. Stetson Ave Suite 4900 CHICAGO, ILLINOIS 60601-6731 UNITED STATES
<b>Phone:</b>	312-616-5600
<b>Correspondent e-mail:</b>	<a href="mailto:trademark@leydig.com">trademark@leydig.com</a>
	<b>Fax:</b> 312-616-5700
	<b>Correspondent e-mail Authorized:</b> Yes
<b>Domestic Representative</b>	
<b>Domestic Representative Name:</b>	LEYDIG VOIT & MAYER, LTD.

## Prosecution History

Date	Description	Proceeding Number
Apr. 01, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 01, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Mar. 14, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	68502
Apr. 01, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Mar. 14, 2014	TEAS SECTION 8 & 15 RECEIVED	
Mar. 03, 2014	REVIEW OF CORRESPONDENCE COMPLETE - INFORMATION MADE OF RECORD	76293
Mar. 03, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Feb. 11, 2014	TEAS SECTION 7 REQUEST RECEIVED	
Sep. 29, 2010	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 14, 2008	REGISTERED-PRINCIPAL REGISTER	
Sep. 09, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Sep. 03, 2008	ASSIGNED TO LIE	68123
Aug. 24, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 06, 2008	STATEMENT OF USE PROCESSING COMPLETE	65362
Jul. 25, 2008	USE AMENDMENT FILED	65362
Aug. 06, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jul. 25, 2008	TEAS STATEMENT OF USE RECEIVED	
Nov. 20, 2007	EXTENSION 5 GRANTED	98765
Nov. 20, 2007	EXTENSION 5 FILED	98765
Nov. 20, 2007	TEAS EXTENSION RECEIVED	
May 23, 2007	EXTENSION 4 GRANTED	98765
May 23, 2007	EXTENSION 4 FILED	98765
May 23, 2007	TEAS EXTENSION RECEIVED	
Dec. 29, 2006	EXTENSION 3 GRANTED	98765
Dec. 29, 2006	EXTENSION 3 FILED	98765
Dec. 29, 2006	TEAS EXTENSION RECEIVED	
Aug. 29, 2006	EXTENSION 2 GRANTED	66530
Jul. 24, 2006	EXTENSION 2 FILED	66530
Jul. 24, 2006	TEAS EXTENSION RECEIVED	
Jan. 24, 2006	EXTENSION 1 GRANTED	98765
Jan. 24, 2006	EXTENSION 1 FILED	98765
Jan. 24, 2006	TEAS EXTENSION RECEIVED	
Jul. 26, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 20, 2005	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Oct. 15, 2004	EXTENSION OF TIME TO OPPOSE RECEIVED	

Sep. 21, 2004	PUBLISHED FOR OPPOSITION	
Sep. 01, 2004	NOTICE OF PUBLICATION	
Jul. 10, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 01, 2004	TEAS/EMAIL CORRESPONDENCE ENTERED	68658
Jul. 01, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	68658
Jul. 01, 2004	AMENDMENT FROM APPLICANT ENTERED	68658
Jul. 01, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	68658
Jul. 01, 2004	PAPER RECEIVED	
Apr. 09, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 31, 2003	NON-FINAL ACTION MAILED	
Dec. 24, 2003	ASSIGNED TO EXAMINER	68365

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted  
 Affidavit of Incontestability: Section 15 - Accepted

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 109

Date in Location: Apr. 01, 2014

### Assignment Abstract Of Title Information

#### Summary

Total Assignments: 1

Registrant: TEQUILA TAPATIO, S.A.

#### Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE REMAINING INTEREST AND THE GOODWILL SO JIM BEAM BRANDS CO. WILL OWN 100%

Reel/Frame: [4284/0189](#)

Pages: 6

Date Recorded: Sep. 24, 2010

Supporting Documents: [assignment-tm-4284-0189.pdf](#)

#### Assignor

Name: [TEQUILA TAPATIO S.A. DE C.V.](#)

Execution Date: Sep. 01, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

#### Assignee

Name: [JIM BEAM BRANDS CO.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 510 LAKE COOK ROAD  
DEERFIELD, ILLINOIS 60015

#### Correspondent

Correspondent Name: LEYDIG, VOIT & MAYER, LTD.

Correspondent Address: TWO PRUDENTIAL PLAZA, 180 N. STETSON AVE  
SUITE 4900, ATTN: CLAUDIA W. STANGLE  
CHICAGO, IL 60601-6731

Domestic Representative - Not Found

### Proceedings

#### Summary

Number of Proceedings: 1

#### Type of Proceeding: Extension of Time

Proceeding Number: [76524217](#)

Filing Date: Oct 15, 2004

Status: Terminated

Status Date: Apr 20, 2005

Interlocutory Attorney:

Defendant

Name: JIM BEAM BRANDS CO.

Correspondent Address: LYNN A. SULLIVAN  
LEYDIG VOIT & MAYER, LTD.  
SUITE 4900 TWO PRUDENTIAL PLAZA 180 N. STETSON  
CHICAGO IL , 60601-6780  
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
EL TESORO PLATINUM DE DON FELIPE	Section 8 and 15 - Accepted and Acknowledged	<a href="#">76524217</a>	<a href="#">3516808</a>

Potential Opposer(s)

Name: Sazerac Company, Inc.

Correspondent Address: Jason S. Shull  
Banner & Witcoff, Ltd.  
10 South Wacker Drive Suite 3000  
Chicago IL , 60606  
UNITED STATES

Correspondent e-mail: [bwptotm@bannerwitcoff.com](mailto:bwptotm@bannerwitcoff.com) , [twebber@bannerwitcoff.com](mailto:twebber@bannerwitcoff.com)

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Oct 15, 2004	
2	EXTENSION OF TIME GRANTED	Oct 15, 2004	
3	INCOMING - EXT TIME TO OPPOSE FILED	Nov 17, 2004	
4	EXTENSION OF TIME GRANTED	Nov 17, 2004	
5	INCOMING - EXT TIME TO OPPOSE FILED	Jan 19, 2005	
6	EXTENSION OF TIME GRANTED	Jan 31, 2005	



CHICAGO, ILLINOIS 60601-6731  
UNITED STATES

Phone: 312-616-5600

Fax: 312-616-5700

Correspondent e-mail: [trademark@leydig.com](mailto:trademark@leydig.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Nov. 22, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 22, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
Nov. 22, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70619
Oct. 18, 2011	TEAS SECTION 8 & 15 RECEIVED	
Sep. 29, 2010	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 24, 2005	REGISTERED-PRINCIPAL REGISTER	
Feb. 23, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	70997
Feb. 23, 2005	ASSIGNED TO LIE	70997
Feb. 18, 2005	ASSIGNED TO LIE	70629
Feb. 14, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 10, 2005	STATEMENT OF USE PROCESSING COMPLETE	73797
Jan. 20, 2005	USE AMENDMENT FILED	73797
Jan. 20, 2005	EXTENSION 1 GRANTED	73797
Jan. 20, 2005	EXTENSION 1 FILED	73797
Jan. 20, 2005	TEAS STATEMENT OF USE RECEIVED	
Jan. 20, 2005	TEAS EXTENSION RECEIVED	
Jul. 20, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 16, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 16, 2004	EXTENSION OF TIME TO OPPOSE RECEIVED	
Feb. 17, 2004	PUBLISHED FOR OPPOSITION	
Jan. 28, 2004	NOTICE OF PUBLICATION	
Dec. 17, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 14, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 14, 2003	PAPER RECEIVED	
May 13, 2003	NON-FINAL ACTION MAILED	
May 02, 2003	ASSIGNED TO EXAMINER	62920
Feb. 13, 2003	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	
Feb. 13, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 13, 2003	PAPER RECEIVED	

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Nov. 22, 2011

## Assignment Abstract Of Title Information

Summary

Total Assignments: 2 Registrant: TEQUILA TAPATIO, S.A.

**Assignment 1 of 2**

Conveyance: ASSIGNMENT OF UNDIVIDED ONE HALF INTEREST TO CREATE A JOINT OWNERSHIP BETWEEN JIM BEAM BRANDS CO. AND TEQUILA TAPATIO, S.A.  
Reel/Frame: [2876/0769](#) Pages: 4  
Date Recorded: Jun. 22, 2004  
Supporting Documents: [assignment-tm-2876-0769.pdf](#)

**Assignor**

Name: [JIM BEAM BRANDS CO.](#) Execution Date: Jun. 22, 2004  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

**Assignee**

Name: [TEQUILA TAPATIO, S.A.](#) State or Country Where Organized: MEXICO  
Legal Entity Type: CORPORATION  
Address: ALVARO OBREGON #35  
ARANDAS, JAILSCO, MEXICO

**Correspondent**

Correspondent Name: LEYDIG VOIT & MAYER, LTD.  
Correspondent Address: TWO PRUDENTIAL PLAZA, 180 N. STETSON  
SUITE 4900  
CHICAGO, IL 60601-6780

**Domestic Representative - Not Found**

**Assignment 2 of 2**

Conveyance: ASSIGNS THE ENTIRE REMAINING INTEREST AND THE GOODWILL SO JIM BEAM BRANDS CO. WILL OWN 100%  
Reel/Frame: [4284/0189](#) Pages: 6  
Date Recorded: Sep. 24, 2010  
Supporting Documents: [assignment-tm-4284-0189.pdf](#)

**Assignor**

Name: [TEQUILA TAPATIO S.A. DE C.V.](#) Execution Date: Sep. 01, 2010  
Legal Entity Type: CORPORATION State or Country Where Organized: MEXICO

**Assignee**

Name: [JIM BEAM BRANDS CO.](#) State or Country Where Organized: DELAWARE  
Legal Entity Type: CORPORATION  
Address: 510 LAKE COOK ROAD  
DEERFIELD, ILLINOIS 60015

**Correspondent**

Correspondent Name: LEYDIG, VOIT & MAYER, LTD.  
Correspondent Address: TWO PRUDENTIAL PLAZA, 180 N. STETSON AVE  
SUITE 4900, ATTN: CLAUDIA W. STANGLE  
CHICAGO, IL 60601-6731

**Domestic Representative - Not Found**

**Proceedings**

**Summary**

Number of Proceedings: 1

**Type of Proceeding: Extension of Time**

Proceeding Number: [76475570](#) Filing Date: Mar 16, 2004  
Status: Terminated Status Date: Mar 16, 2004

Interlocutory Attorney:

**Defendant**

Name: JIM BEAM BRANDS CO.  
Correspondent Address: Lynn A. Sullivan, Esq.  
Leydig, Voit & Mayer, Ltd.  
Suite 4900 Two Prudential Plaza, 180 N. Stetson  
Chicago IL , 60601-6780  
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
EL TESORO PLATINUM	Section 8 and 15 - Accepted and Acknowledged	<a href="#">76475570</a>	<a href="#">2955336</a>

**Potential Opposer(s)**

Name: Sazerac Company, Inc.

Correspondent Address: James V. Callahan  
Banner & Witcoff, Ltd.  
10 S. Wacker Drive Suite 3000  
Chicago IL , 60606  
UNITED STATES

Correspondent e-mail: [bwptotm@bannerwitcoff.com](mailto:bwptotm@bannerwitcoff.com)

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 16, 2004	
2	EXTENSION OF TIME GRANTED	Mar 16, 2004	
3	TERMINATED	Jun 04, 2004	

AMBHAR LOCATOR  
(locator.php)

STORE  
(http://ambhar.passionspi  
tequila-  
anejo.html)

(https://www.facebook.com/ambhar.tequila/UCALriDFWRYYoAvSALThx5FA)  
ref-br\_tf)

email.shootproof.com/wf/click?  
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2B8qghJQ-  
2FSGHCqhixEsoeHQ1WcFCBegu4kKnujgkyeY0TesLg-  
3D-  
3D)



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OUR FINE SELECTION OF QUALITY TEQUILAS



(plata.php)



(reposado.php)



(añejo.php)

#### THE AMBHAR PROCESS

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OUR LIVES ARE FULL OF MOMENTS, IT IS NOT A MATTER OF WHEN THEY HAPPEN, BUT OF HOW WE CHOOSE TO MAKE THE BEST OUT OF THEM. THE TRUTH IS, A LIFE IS MEMORABLE FOR ITS LEGACY, IT IS MONUMENTAL BY THE PEOPLE IT INSPIRES, IT IS TRANSCENDENT FOR THE GREATNESS OF ITS ACHIEVEMENTS. CREATE YOUR AMBHAR MOMENT

[MORE VIDEOS > \(VIDEOS.PHP\)](#)

(<http://www.youtube.com/embed/ZPFF4vIN1KY?rel=0&wmode=transparent>)

PLAY

HONORING TRADITIONAL DISTILLATION METHODS

*AMBHAR Tequila is distilled using traditional methods upheld by producers of noted, ultra-premium spirits, to guarantee a consistent product with smooth, mellow flavors only found in the best tequilas.*

## PROCESS

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Once the roasted agave hearts cool, they are mashed, using a combination of the milling and water extraction, to separate the sugars from the pulp. The sugars, pulp and cooking juices are then fermented in stainless steel tanks for several days using yeast strains isolated from naturally fermented, cooked agave juice.

### THE PROCESS BEHIND THE MAKING OF OUR TEQUILA

(<http://www.youtube.com/embed/ZPEF4vN1KY?rel=0&wmode=transparent>)

