

ESTTA Tracking number: **ESTTA413398**

Filing date: **06/08/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Diageo Brands B.V.
Granted to Date of previous extension	06/08/2011
Address	Molenwerf 10-12 Amsterdam, 1014 BG NETHERLANDS

Attorney information	Evan Gourvitz Diageo North America, Inc. 801 Main Avenue Norwalk, CT 06851 UNITED STATES trademarks@diageo.com, evan.gourvitz@diageo.com, gina.vendittelli@diageo.com, stuart.kauffman@diageo.com Phone:(203) 229-2100
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Applicant Information

Application No	85111140	Publication date	02/08/2011
Opposition Filing Date	06/08/2011	Opposition Period Ends	06/08/2011
Applicant	Destiladora del Valle de Tequila S.A de C.V PO Box 948 Edna, TX 77957 UNITED STATES		

Goods/Services Affected by Opposition

Class 033. First Use: 2010/08/09 First Use In Commerce: 2010/08/09
All goods and services in the class are opposed, namely: Spirits

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	101072	Application Date	08/06/1914
Registration Date	11/10/1914	Foreign Priority Date	NONE

Word Mark	WHITE HORSE THE WHITE HORSE CELLAR ESTAB. 1742
Design Mark	
Description of Mark	NONE
Goods/Services	Class U049 (International Class 033). First use: First Use: 1890/03/20 First Use In Commerce: 1890/03/20 SCOTCH WHISKY

U.S. Registration No.	761047	Application Date	10/04/1962
Registration Date	12/03/1963	Foreign Priority Date	NONE

Word Mark	THE WHITE HORSE CELLAR ESTAB. 1742
Design Mark	
Description of Mark	NONE
Goods/Services	Class U049 (International Class 033). First use: First Use: 1890/03/20 First Use In Commerce: 1890/03/20 Whisky

U.S. Registration No.	1099781	Application Date	11/08/1977
Registration Date	08/15/1978	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1906/00/00 First Use In Commerce: 1914/00/00 WHISKY		

U.S. Registration No.	3210460	Application Date	08/29/2005
Registration Date	02/20/2007	Foreign Priority Date	NONE
Word Mark	WHITE HORSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1890/00/00 First Use In Commerce: 1890/00/00 Alcoholic beverages, namely, Scotch whisky		

U.S. Registration No.	725708	Application Date	09/14/1960
Registration Date	12/26/1961	Foreign Priority Date	NONE
Word Mark	"BLUE LABEL"		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U049 (International Class 033). First use: First Use: 1957/09/01 First Use In Commerce: 1957/09/01 Blended Scotch Whisky		

U.S. Registration No.	1802240	Application Date	12/11/1991
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Registration Date	11/02/1993	Foreign Priority Date	NONE
Word Mark	BLUE LABEL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1992/03/16 First Use In Commerce: 1992/03/16 Scotch whisky		

Attachments	71080365#TMSN.gif (1 page)(bytes) 72154544#TMSN.gif (1 page)(bytes) 73147835#TMSN.gif (1 page)(bytes) 78702281#TMSN.jpeg (1 page)(bytes) Notice of Opposition WHITE HORSE V. CABALLO AZUL.pdf (26 pages) (5749969 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/evan gourvitz/
Name	Evan Gourvitz
Date	06/08/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 85/111,140
Published in the Official Gazette on February 8, 2011
Mark: CABALLO AZUL
International Class: 33

DIAGEO BRANDS B.V.,

Opposer,

-against-

DESTILADORA DEL
VALLE DE TEQUILA S.A DE C.V.,

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

Opposer Diageo Brands B.V. (“Opposer”) believes that it will be damaged by the registration of the mark CABALLO AZUL for “[s]pirits” in International Class 33, as shown in the above-noted application, Serial No. 85/111,140, and hereby opposes the same pursuant to Section 13(a) of the Trademark Act of 1946, as amended (the “Lanham Act”), 15 U.S.C. § 1063(a).

As grounds for the opposition, Opposer alleges that:

1. Opposer Diageo Brands B.V. is a Netherlands private limited company with its principal place of business located at Molenwerf 10-12, Amsterdam, Netherlands 1014 BG.
2. Opposer and its predecessors-in-interest have owned and used various marks consisting of or including (i) WHITE HORSE and (ii) BLUE LABEL (collectively, “Opposer’s Marks”) in commerce in the United States in connection with spirits since long before August 19, 2010, the filing date of the application herein opposed, and since long before August 9, 2010, the claimed first use and first use in commerce date of that application.

3. During its continuous use of Opposer's Marks, Opposer and its authorized wholesalers, distributors, and retail accounts have expended considerable time, effort and money in advertising and publicizing the sale of goods bearing those marks in the United States.

4. During its continuous use of Opposer's Marks, Opposer has directly and indirectly sold, and offered for sale, goods bearing those marks throughout the United States.

5. During its continuous use of Opposer's Marks, Opposer has directly and indirectly sold, and offered for sale, goods bearing those marks to wholesalers, distributors, and individuals over the legal purchase age for alcohol throughout the United States.

6. In addition, from a date long prior to Applicant's application date or claimed first use or first use in commerce date, consumers and the public have recognized and commonly used Opposer's Marks to refer to Opposer's goods bearing those marks, and have come to identify those marks with Opposer and its products.

7. Opposer's Marks are strong and famous and have been so from a date prior to Applicant's application date, or any date upon which Applicant can rely in this proceeding.

8. In addition to Opposer's extensive common law rights in both of Opposer's Marks, Opposer owns U.S. Reg. No. 101,072 for WHITE HORSE THE WHITE HORSE CELLAR ESTAB. 1742 and design for "scotch whisky" in International Class 33, registered November 10, 1914 based on use and use in commerce since March 20, 1890; incontestable Reg. No. 761,047 for THE WHITE HORSE CELLAR ESTAB. 1742 and design for "whisky" in International Class 33, registered December 3, 1963 based on use and use in commerce since March 20, 1890; incontestable Reg. No. 1,099,781 for a design of a white horse for "whisky" in International Class 33, registered August 15, 1978 based on use since 1906 and use in commerce since 1914; Reg. No. 3210460 for WHITE HORSE for "alcoholic beverages, namely, Scotch

whisky” in International Class 33, registered February 20, 2007 based on use and use in commerce since 1890; incontestable Reg. No. 725,708 for “BLUE LABEL” for “blended Scotch whisky” in International Class 33, registered December 26, 1961 based on use and use in commerce since September 1, 1957; and incontestable Reg. No. 1,802,240 for BLUE LABEL for “Scotch whisky” in International Class 33, registered November 2, 1993 based on use and use in commerce since March 16, 1992. Copies of the certificates and electronic status records for these registrations, all of which are valid, subsisting, and in full force and effect, are attached hereto as Exhibit A.

9. Upon information and belief, Applicant Destiladora del Valle de Tequila S.A de C.V. (“Applicant”) is a Mexican corporation with an address of P.O. Box 948, Edna, Texas 77957.

10. By the application herein opposed, Serial No. 85/111,140, Applicant seeks to register CABALLO AZUL (“Applicant’s Mark”) – Spanish for BLUE HORSE – for “spirits” in International Class 33.

11. Applicant filed its application for Applicant’s Mark on August 19, 2010 and claims first use and first use in commerce dates of August 9, 2010 – long after Opposer commenced use of and registered Opposer’s Marks in the United States, and long after Opposer’s Marks became famous.

12. Applicant’s Mark is confusingly similar in appearance and in commercial impression to Opposer’s Marks, particularly since an appreciable number of relevant consumers will translate Applicant’s Spanish-language mark into the English phrase BLUE HORSE.

13. The goods for which Applicant seeks registration are closely related or identical to, and likely to be perceived as closely related or identical to, those in connection with which Opposer uses and has used Opposer's Marks in the United States.

14. Upon information and belief, the goods sold in connection with Opposer's Marks and the goods set forth in Applicant's Application Serial No. 85/111,140 are intended to be directed to identical classes of purchasers and to be distributed through the same channels of trade in the United States.

15. Opposer will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of the mark sought to be registered, and will give color of exclusive statutory rights to Applicant in violation and derogation of the prior and superior rights of Opposer.

16. Opposer also will be damaged by the registration sought by Applicant because such registration will dilute the distinctive qualities of the famous Opposer's Marks.

17. Registration should be refused pursuant to Section 2(a) of the Lanham Act, 15 U.S.C. § 1052(a), on the grounds that Applicant's use of Applicant's Mark will falsely suggest a connection between Applicant and Opposer, to the damage of Opposer.

18. Registration should be refused pursuant to Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), on the grounds that Applicant's Mark so closely resembles Opposer's Marks as to be likely, when used on or in connection with the goods identified in the Application, to cause confusion, or to cause mistake, or to deceive, with the consequent injury to Opposer and to the public.

19. Registration should be refused pursuant to Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), on the grounds that Applicant's Mark will cause dilution of the distinctive qualities of Opposer's Marks.

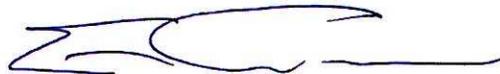
WHEREFORE, Opposer believes it will be damaged by the registration of Applicant's CABALLO AZUL mark for the goods identified in Application Serial Number 85/111,140 and respectfully requests that the opposition be sustained and registration of said mark be denied.

Pursuant to 37 C.F.R. §2.6(a)(17), Opposer respectfully requests that the \$300.00 statutory filing fee for filing a Notice of Opposition in one international class, and any additional amount, be charged to Deposit Account No. 083120.

All communication should be addressed to Opposer's counsel at the below stated address.

Dated: Norwalk, Connecticut
June 8, 2011

Respectfully submitted,



Evan Gourvitz
Diageo North America, Inc.
801 Main Avenue
Norwalk, Connecticut 06851

Counsel for Opposer Diageo Brands B.V.

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing NOTICE OF OPPOSITION to be served, via first class mail, postage prepaid, on this 8th day of June 2011, to Applicant at the address identified on the Patent and Trademark Office's TARR database as follows:

Celia V. Maestri
Vice President
Destiladora del Valle de Tequila S.A. de C.V.
P.O. BOX 948
Edna, TX 77957-0948



Gina Vendittelli

Int. Cl.: 33

Prior U.S. Cl.: 49

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 101,072

Registered Nov. 10, 1914

Renewal Term Begins Nov. 10, 1994

**TRADEMARK
PRINCIPAL REGISTER**



WHITE HORSE

UNITED DISTILLERS P.L.C. (UNITED
KINGDOM COMPANY), DBA WHITE
HORSE DISTILLERS,
33 ELLERSLY ROAD
EDINBURGH, EH12 6JW, SCOTLAND,
BY ASSIGNMENT AND ASSIGNMENT
FROM MACKIE & COY. DISTILLERS,
LTD. (GREAT BRITAIN CORPORA-
TION) GLASGOW, SCOTLAND

FOR: SCOTCH WHISKY, IN CLASS 49
(INT. CL. 33).

FIRST USE 3-20-1890; IN COMMERCE
3-20-1890.

SER. NO. 71-080,365, FILED 8-6-1914.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Mar. 19, 1996.*

COMMISSIONER OF PATENTS AND TRADEMARKS

UNITED STATES PATENT OFFICE.

MACKIE & COY. DISTILLERS, LTD., OF GLASGOW, SCOTLAND.

TRADE-MARK FOR SCOTCH WHISKY.

101,072.

Registered Nov. 10, 1914.

Application filed August 6, 1914. Serial No. 80,365.

STATEMENT.

To all whom it may concern:

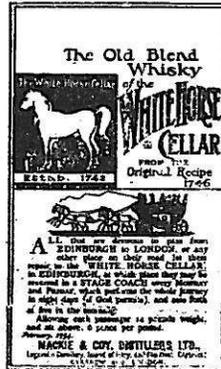
Be it known that the MACKIE & COY. DISTILLERS, LTD., a corporation organized and existing under the laws of Great Britain, located at Glasgow, Scotland, and doing business at 217 West George street, in said place, has adopted and used the trade-mark shown in the accompanying drawing, for Scotch whisky, in Class No. 49, Distilled alcoholic liquors.

The trade-mark has been continuously

used in the business of the corporation since March 20th, 1890, and was registered in the United States Patent Office August 4, 1896, No. 28,709.

The trade-mark is applied to the goods or to the packages containing the same, by placing thereon a printed label on which the trade-mark is shown.

MACKIE & COY. DISTILLERS, LTD.,
By ANDREW MUNRO,
Secretary.



DECLARATION.

Consulate of the United States at Glasgow, Scotland ss:

ANDREW MUNRO, being duly sworn, deposes and says that he is the secretary of the corporation, the applicant named in the foregoing statement; that he believes the foregoing statement is true; that he believes said corporation is the owner of the trade-mark sought to be registered; that no other person, firm, corporation or association, to the best of his knowledge and belief, has the right to use said trade-mark, either in the identical form, or in any such near resemblance thereto, as might be calculated to deceive; that said trade-mark has been registered in Great Britain under date of Octo-

ber 5, 1906, No. 282061; that the description and drawing presented truly represent the trade-mark sought to be registered; that the specimens show the mark as actually used upon the goods; and that the mark has been in actual use as a trade-mark of the applicant for ten years next preceding February 20th, 1905, and that to the best of his knowledge and belief, such use has been exclusive.

ANDREW MUNRO.

Subscribed and sworn to before me this 6th day of May, 1914.

[L. s.] LEROY WEBER,
Vice & Deputy Consul of the United States
of America, at Glasgow, Scotland.

Copies of this trade-mark may be obtained for five cents each, by addressing the "Commissioner of Patents, Washington, D. C."

Amendment

Registered November 10, 1914

Registration No. 101,072

Mackie & Coy, Distillers, Ltd.

Application to amend having been made by White Horse Distillers, Limited, owner of the registration above identified, the drawing is amended to appear as follows:



WHITE HORSE

Such amendment has been entered upon the records of the Patent and Trademark Office and the said original registration should be read as so amended.

Signed and sealed this 24th day of June 1975.

[SEAL]

Attest:
Marie Cooksey
Attesting Officer.

C. MARSHALL DANN
Commissioner.



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Word Mark WHITE HORSE THE WHITE HORSE CELLAR ESTAB. 1742
Goods and Services IC 033. US 049. G & S: SCOTCH WHISKY. FIRST USE: 18900320. FIRST USE IN COMMERCE: 18900320
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 03.05.01 - Horses
 20.03.10 - Bottle labels; Labels for bottles
 26.11.20 - Rectangles inside one another
 26.11.21 - Rectangles that are completely or partially shaded
Serial Number 71080365
Filing Date August 6, 1914
Current Filing Basis 1A
Original Filing Basis 1A
Registration Number 0101072
Registration Date November 10, 1914
Owner (REGISTRANT) MACKIE & COY. DISTILLERS, LTD. CORPORATION GREAT BRITAIN 217 WEST GEORGE STREET GLASGOW SCOTLAND
 (LAST LISTED OWNER) DIAGEO BRANDS B.V. PRIVATE LIMITED COMPANY NETHERLANDS MOLENWERF 10-12 AMSTERDAM NETHERLANDS 1014 BG
Assignment Recorded ASSIGNMENT RECORDED
Attorney of DANA M GILLAND

Record

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 12C. SECT 15. SECTION 8(10-YR) 20041109.
Renewal 5TH RENEWAL 20041109
Live/Dead Indicator LIVE

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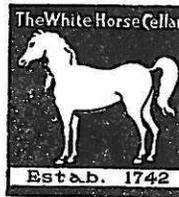
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United States Patent Office

761,047
Registered Dec. 3, 1963

PRINCIPAL REGISTER Trademark

Ser. No. 154,544, filed Oct. 4, 1962



White Horse Distillers Limited (British corporation)
120 St. Vincent St.
Glasgow, Scotland

For: WHISKY, in CLASS 49.
First use Mar. 20, 1890; in commerce Mar. 20, 1890.
No registration rights are claimed for "Estab. 1742"
apart from the mark as shown; however, applicant waives
none of its common law rights in the mark or any feature
thereof.
Owner of U.S. Reg. Nos. 302,117, 302,116, and 101,072.



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Word Mark	THE WHITE HORSE CELLAR ESTAB. 1742
Goods and Services	IC 033. US 049. G & S: Whisky. FIRST USE: 18900320. FIRST USE IN COMMERCE: 18900320
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	03.05.01 - Horses 20.03.10 - Bottle labels; Labels for bottles
Serial Number	72154544
Filing Date	October 4, 1962
Current Filing Basis	1A
Original Filing Basis	1A
Registration Number	0761047
Registration Date	December 3, 1963
Owner	(REGISTRANT) White Horse Distillers Limited CORPORATION GREAT BRITAIN 120 ST. VINCENT ST. Glasgow SCOTLAND (LAST LISTED OWNER) DIAGEO BRANDS B.V. PRIVATE LIMITED COMPANY NETHERLANDS MOLENWERF 10-12 AMSTERDAM NETHERLANDS 1014 BG
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	DANA M. GILLAND
Prior	

Registrations 0101072;0302116;0302117
Disclaimer No registration rights are claimed for "Estab. 1742" apart from the mark as shown; however, applicant waives none of its common law rights in the mark or any feature thereof.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040604.
Renewal 2ND RENEWAL 20040604
Live/Dead Indicator LIVE

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Int. Cl.: 33

Prior U.S. Cl.: 49

Reg. No. 1,099,781

United States Patent and Trademark Office

Registered Aug. 15, 1978

10 Year Renewal

Renewal Term Begins Aug. 15, 1998

**TRADEMARK
PRINCIPAL REGISTER**



UNITED DISTILLERS & VINTNERS
(ER) LIMITED (UNITED KINGDOM
PRIVATE LIMITED CO.),
39 PORTMAN SQUARE
LONDON W1H 0EE, ENGLAND, BY AS-
SIGNMENT, CHANGE OF NAME,
AND CHANGE OF NAME FROM
WHITE HORSE DISTILLERS LIMIT-
ED (GREAT BRITAIN CORPORA-
TION) GLASGOW, SCOTLAND

OWNER OF U.S. REG. NOS. 101,072,
965,223 AND OTHERS.

FOR: WHISKY, IN CLASS 33 (U.S. CL.
49).

FIRST USE 0-0-1906; IN COMMERCE
0-0-1914.

SER. NO. 73-147,835, FILED 11-8-1977.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Mar. 23, 1999.*

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Goods and Services IC 033. US 049. G & S: WHISKY. FIRST USE: 19060000. FIRST USE IN COMMERCE: 19140000
Mark Drawing Code (2) DESIGN ONLY
Design Search Code 03.05.01 - Horses 26.09.01 - Squares as carriers or squares as single or multiple line borders
Serial Number 73147835
Filing Date November 8, 1977
Current Filing Basis 1A
Original Filing Basis 1A
Registration Number 1099781
Registration Date August 15, 1978
Owner (REGISTRANT) WHITE HORSE DISTILLERS LIMITED CORPORATION GREAT BRITAIN 99, BORRON ST. GLASGOW SCOTLAND
(LAST LISTED OWNER) DIAGEO BRANDS B.V. PRIVATE LIMITED COMPANY NETHERLANDS MOLENWERF 10-12 AMSTERDAM NETHERLANDS 1014 BG
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Steven Rosenthal
Prior Registrations 0101072;0965223;AND OTHERS

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080307.
Renewal 2ND RENEWAL 20080307
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Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 3,210,460

Registered Feb. 20, 2007

TRADEMARK
PRINCIPAL REGISTER

WHITE HORSE

DIAGEO BRANDS B.V. (NETHERLANDS CORPORATION)
MOLENWERF 10-12
AMSTERDAM, NETHERLANDS 1014 B.G.

FOR: ALCOHOLIC BEVERAGES, NAMELY,
SCOTCH WHISKY, IN CLASS 33 (U.S. CLS. 47 AND
49).

FIRST USE 0-0-1890; IN COMMERCE 0-0-1890.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 101,072 AND 761,047.

SER. NO. 78-702,281, FILED 8-29-2005.

MARY MUNSON, EXAMINING ATTORNEY



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WHITE HORSE

Word Mark WHITE HORSE
Goods and Services IC 033. US 047 049. G & S: Alcoholic beverages, namely, Scotch whisky. FIRST USE: 18900000. FIRST USE IN COMMERCE: 18900000
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78702281
Filing Date August 29, 2005
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition December 5, 2006
Registration Number 3210460
Registration Date February 20, 2007
Owner (REGISTRANT) Diageo Brands B.V. CORPORATION NETHERLANDS Molenwerf 10-12 Amsterdam NETHERLANDS 1014 B.G.
Attorney of Record Dana M. Gilland
Prior Registrations 0101072;0761047
Type of Mark TRADEMARK
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United States Patent Office

725,708
Registered Dec. 26, 1961

PRINCIPAL REGISTER
Trademark

Ser. No. 104,473, filed Sept. 14, 1960

"BLUE LABEL"

J. & G. Oldfield Ltd. (British company)
11 Copenhagen St.
Worcester, England

For: BLENDED SCOTCH WHISKY, in CLASS 49.
First use Sept. 1, 1957; in commerce Sept. 1, 1957.



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Typed Drawing

Word Mark	"BLUE LABEL"
Goods and Services	IC 033. US 049. G & S: Blended Scotch Whisky. FIRST USE: 19570901. FIRST USE IN COMMERCE: 19570901
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	72104473
Filing Date	September 14, 1960
Current Filing Basis	1A
Original Filing Basis	1A
Registration Number	0725708
Registration Date	December 26, 1961
Owner	(REGISTRANT) J. & G. OLDFIELD LTD. COMPANY GREAT BRITAIN 1 COPENHAGEN ST. WORCESTER ENGLAND
	(LAST LISTED OWNER) DIAGEO BRANDS B.V. PRIVATE LIMITED COMPANY NETHERLANDS MOLENWERF 10-12 AMSTERDAM NETHERLANDS 1014 BG
Assignment Recorded	ASSIGNMENT RECORDED
Type of Mark Register	TRADEMARK PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20020214.
Renewal	2ND RENEWAL 20020214
Live/Dead Indicator	LIVE

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Int. Cl.: 33

Prior U.S. Cl.: 49

United States Patent and Trademark Office

Reg. No. 1,802,240

Registered Nov. 2, 1993

**TRADEMARK
PRINCIPAL REGISTER**

BLUE LABEL

UNITED DISTILLERS PLC (UNITED KING-
DOM PUBLIC LIMITED COMPANY), TA
JOHN WALKER & SONS
33 ELLERSLY ROAD
EDINBURGH, EH 12 6JW, SCOTLAND

FOR: SCOTCH WHISKY, IN CLASS 33 (U.S.
CL. 49).

FIRST USE 3-16-1992; IN COMMERCE
3-16-1992.

OWNER OF U.S. REG. NOS. 725,708, 1,328,864,
AND 1,329,973.

SER. NO. 74-229,167, FILED 12-11-1991.

DONNA MIRMAN, EXAMINING ATTORNEY



United States Patent and Trademark Office

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Typed Drawing

Word Mark	BLUE LABEL
Goods and Services	IC 033. US 049. G & S: Scotch whisky. FIRST USE: 19920316. FIRST USE IN COMMERCE: 19920316
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74229167
Filing Date	December 11, 1991
Current Filing Basis	1A
Original Filing Basis	UNKNOWN
Published for Opposition	August 10, 1993
Registration Number	1802240
Registration Date	November 2, 1993
Owner	(REGISTRANT) United Distillers plc TA John Walker & Sons PUBLIC LIMITED COMPANY UNITED KINGDOM 33 Ellersly Road Edinburgh, EH 12 6JW SCOTLAND (LAST LISTED OWNER) DIAGEO BRANDS B.V. PRIVATE LIMITED COMPANY NETHERLANDS MOLENWERF 10-12 AMSTERDAM NETHERLANDS 1014 BG
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	DANA M. GILLAND
Prior Registrations	0725708;1328864;1329973
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040204.
Renewal	1ST RENEWAL 20040204
Live/Dead Indicator	LIVE

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