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

Proceeding	91210379
Party	Plaintiff Atlas Brewing Company, LLC
Correspondence Address	LEMA A KHORSHID FUKSA KHORSHID LLC 70 W ERIE, 2ND FLOOR CHICAGO, IL 60654 UNITED STATES lema@fklawfirm.com, robert@fklawfirm.com
Submission	Reply in Support of Motion
Filer's Name	Robert J. Schaul
Filer's e-mail	robert@fklawfirm.com
Signature	/Robert J. Schaul/
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ATLAS BREWING COMPANY, LLC,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91210379
)	
ATLAS BREW WORKS, LLC,)	MARK: ATLAS
f/k/a VOLSTEAD BEER WORKS LLC,)	
f/k/a ATLAS BEER WORKS LLC)	
)	
Applicant.)	

**OPPOSER’S REPLY BRIEF IN SUPPORT OF
ITS MOTION FOR SUMMARY JUDGMENT**

NOW COMES Opposer, ATLAS BREWING COMPANY, LLC (“Opposer”), and pursuant to 37 C.F.R. §2.127(e), replies to Applicant, ATLAS BREW WORKS LLC’s (“Applicant”), Brief in Opposition to Opposer’s Motion for Summary Judgment (the “Opposition Brief”).

INTRODUCTION

In an effort to respect the Board’s policy discouraging replies, the Opposer utilizes this reply simply to rebut the Applicant’s arguments that the primary significance of the Atlas mark (the “Mark”) is not the Atlas District and that the Atlas District is not generally known. The Opposer stands on its arguments in its motion that: 1) the goods associated with the Mark originate in the Atlas District, 2) the Mark is not eligible for registration on the Supplemental Register, and 3) Applicant did not have a bona fide intent to use the Mark in commerce.

ARGUMENT

In the Opposition Brief, Applicant claims that the term “atlas” is not primarily geographically descriptive because: 1) the primary significance of word “atlas” is not the Atlas

District since “atlas” has multiple meanings, and 2) the Atlas District is not generally known.

Both of the Applicant’s arguments are disingenuous and contradict its own sworn testimony. The

primary significance of the word “atlas” in the Mark is a reference to the Atlas District because:

1) the Applicant admits that it chose the name Atlas because of the district, and 2) the relevant purchasing public, local craft beer drinkers in the Washington, D.C. area, associate Atlas with the Atlas District, given the Atlas District’s involvement in D.C.’s burgeoning local craft beer market.

I. The Primary Significance of Atlas is a Geographic Location

The primary significance of the word “atlas” when used in connection with the Applicant’s goods is a reference to the Atlas District in Washington D.C. Applicant explained the relationship between its Mark and the name of the district in an email to its investors that was produced in discovery. More importantly, when Opposer was asked during interrogatories why it had chosen the name, its first answer was a reference to the Atlas District.

In its answers to the Opposer’s interrogatories (the “Interrogatory Answers”), the Applicant explicitly stated that it chose the name “Atlas” because “the ‘Atlas District’ is the name of the commercial strip neighborhood in the District of Columbia near the intended location of the brewery.” (Copies of the relevant Interrogatory Answer and Verification are attached as Exhibit A.) The Interrogatory Answers were verified, under oath, by the Applicant’s CEO, Justin Cox (“Cox”). Id. This answer is consistent with an email dated June 5, 2012 (the “June 5th Email”), in which Cox explained to investors that “[t]he Atlas District is the name of the commercial strip neighborhood in DC that we will be near.” (A copy of the June 5th Email is attached as Exhibit B.) These facts devastate Applicant’s arguments that the Atlas District is not a recognized area of the city and that the Mark relates to a mythological titan. When given the

opportunity to state why it chose the Mark, Applicant made no mention of titans or maps, and explicitly referenced a geographical area that it now claims does not exist.

The Applicant attempts to distract the Board by arguing that “atlas” has multiple meanings. Opposer does not dispute that the word “atlas” may mean a titan or a book of maps. Applicant claims that “the term ATLAS was intended to signify the titan “Atlas” from Greek mythology.” Opposition Brief, pg. 4. Yet it made no mention of titans in its Interrogatory Answers. It said that Atlas refers to a neighborhood near the brewery.

Applicant’s efforts to manufacture issues of material fact by minimizing and contradicting what it said in a sworn statement should not defeat Opposer’s motion. Applicant points out that the Interrogatory Answers list additional “reasons” for the name, specifically that: 1) the name went well with the Applicant’s logo, 2) the logo was believed to make a strong impression, and 3) the initials “ABW” would be useful in “swag”; however, none of these additional reasons even remotely involves the Greek titan Atlas. See Exh. A. Nor do the reasons stated have anything to do with the impression of the relevant purchasing public. Unless Applicant means to argue that consumers will conclude that the primary meaning of – as opposed to reason for – the Mark is that it looks good on the logo or lends itself to “swag” this argument is a non-sequitur. Opposer could not state the matter any more definitively than Applicant has stated itself: the Mark is primarily geographically descriptive because Applicant named the Mark after a geographical location.

The other definitions of “atlas” play only a small role in the analysis. The word “atlas” in general usage may refer to a book of maps or the titan from Greek mythology, but the fact that a word has multiple meanings “other than as a geographic term does not necessarily alter its primarily geographic significance.” TMEP, §1210.02(b)(i). The decisive question is not which

definition comes first in the dictionary but rather what primary significance the mark has to the relevant purchasing public. See *In re MCO Properties Inc.*, 38 USPQ2d 1154, 1156 (TTAB 1995).

In this case, the relevant purchasing public is craft beer drinkers in the Washington, D.C. area: a sizable group of people who, as local residents, are familiar with the Atlas District.

Though the average viewer in Alaska or Arkansas might associate the Mark with a titan or a book of maps, Applicant's purpose in choosing the Mark was to tap into the booming D.C. craft beer market. The Washington Business Journal (the "WBJ") recently published an article, "With Craft Brewing Boom, D.C.'s Beer Scene Returns to its Regional Roots" (the "WBJ Article"), which discussed this booming craft beer market. (A copy of the WBJ Article is attached as Exhibit C.) According to the WBJ, Washington, D.C. craft beer drinkers have a "**strong local loyalty.**" *Id.*; see also: Best of 2013: The Year in Beer, Reviewed attached as Exhibit D (in which local arts & entertainment website the DCist states that D.C. residents "expect to find one of [their] favorite local beers alongside [other] offerings" and have even begun to "demand" craft beer brewed locally). Accordingly, D.C. breweries have utilized and fostered a "regional focus." See Exh. C. The Atlas District is very much a part of this local beer scene. See: *DC's Growing Craft Beer Scene – Atlas Brew Works* attached as Exhibit E (describing the Atlas District as "trendy and transitional...where hip new restaurants are now as common as boarded-up store fronts once were...") and Atlas District Real Estate attached as Exhibit F (describing how the Atlas District and its several night spots draw "entertainment seekers from around the city.")

The prospects for this emerging market are not lost on the Applicant. See: First Look: Atlas Brew Works attached as Exhibit G (in which Cox acknowledges that "DC beer is coming up" and has become a "burgeoning scene") and *We Tour Atlas Brew Works, Washington DC's*

4th Brewery attached as Exhibit H (in which Applicant’s co-founder William Durgin (“Durgin”) explains that “[t]he groundwork for a great beer scene has been in place for years” and “[t]he current explosion of restaurants in the District with great beer programs is giving the whole community a shot in the arm.”)

In fact, the Applicant describes itself as a “[n]ew craft brewery bringing fresh beers to the Nation’s Capital” and a provider of “fresh, local craft beer to thirsty Washingtonians in taverns and restaurants across the District,” with a “focus” on “creating great quality craft beers to share with our community in D.C.” See Applicant’s Twitter Page attached as Exhibit I; Atlas Brew Works Teams Up with the Washington Nationals to offer The 1500 South Cap Lager Exclusively at Nationals Park attached as Exhibit J; Atlas Brew Works Set to Debut 9/2-9/8 attached as Exhibit K. Applicant’s owners have also made a distinct effort to the appeal specifically to this local craft beer community. See Exh. H (in which Durgin describes the Applicant’s two primary goals: 1) “to make a positive contribution to the DC beer community” and 2) “to be good members of the larger DC community by providing quality jobs and promoting DC as a beer destination.”); see also Atlas Brew Works brings award winning local craft beer to the District of Columbia attached as Exhibit L (in which Cox states a desire “to integrate the business to be a good neighbor and to provide our community with a source of high quality local beer” and expresses the hope that “people will drop by to fill up a growler on their way home from work or while out and about.”)

The Applicant’s efforts to capitalize on this boom craft beer market do not end there. Applicant has also made strategic partnerships to reach this local audience. See: Atlas Brew Works partners with Premium Distributors of Washington DC to distribute local craft beer attached as Exhibit M (in which Cox explains that Applicant has partnered with Premium

Distributors of Washington, D.C. (“Premium”) because Premium has “the resources...to best represent Atlas **in the District.**”) and Exh. I (where Applicant states that it has partnered with the Washington Nationals to make “an exclusive beer for [its] favorite baseball club.”) Both of these strategic partners acknowledged the emerging local market. See: Exh. M (in which Premium says that it is “thrilled” to be able to “fill a void in our craft portfolio by offering a DC local.”) and Exh. J (in which the Washington Nationals say they “are making a big push to include local food and drinks in the ballpark...”).

The Applicant’s own website (the “Website”) also reflects the Applicant’s intention to specifically cater to the local D.C. craft beer consumer. The Website contains a map which shows “Locations That Carry Atlas Beer” (the “Website Map”) and every location on the Website Map that sells Atlas beers is located in Washington, D.C., within nine (9) miles of the Atlas District. (A copy of the Website Map is attached as Exhibit N). In fact, eight (8) of these establishments are located within the Atlas District. *Id.*

Applicant’s targeting of D.C.’s emerging craft beer community is meaningful because it creates a reasonable inference that the name “Atlas” was chosen to inform the purchasing public that the beer was brewed in Washington, D.C. Local beer aficionados will associate “Atlas” with local craft brew by virtue of its name, which is a neighborhood that is at the forefront of this burgeoning market. This inference is supported by the fact that Applicant’s labels and products make no reference to Greek titans or maps. (Copies of Screenshots of the Applicant’s Website are attached as Exhibit O).

If this Board is not fully swayed by inference of the Applicant’s intentions, it can look at the Applicant’s own admission of who the relevant purchasing public is. In an affidavit submitted to the USPTO in October 2012 (the “2012 Affidavit”), Cox testified that Atlas beers

would “be marketed **exclusively to beer connoisseurs in the Washington, DC area**, between the ages of 21 and 40, with disposable income **who are seeking local beers.**” (A copy of the 2012 Affidavit is attached as Exhibit P)(emphasis added). Cox further testified that “[t]he trade channels of our goods bearing the ATLAS mark will be offered **exclusively** through our brewery location in Washington, DC and will be offered at wholesale to various **local bars and restaurants in the Washington, DC area.**” Id. at pg. 2 (emphasis added). Cox even goes so far as to admit that Atlas’ market “is a **highly specialized industry** in which there is no overlap in the trade and/or marketing channels **utilized by the average consumer** of wine, liquor, or local beers brewed” in another region of the country. Id. at pg. 1 (emphasis added).

Perception is reality in this scenario, and the public perception is that Applicant’s mark refers to the Atlas District. No less than three (3) local publications have stated that the Applicant’s name is derived from the Atlas District. See: Exh. E (in which americancraftbeer.com states that the Applicant was “[n]amed after the area’s trendy and transitional Atlas District....”); *D.C. ’s Craft Brewery Scene* attached as Exhibit Q (in which traveler.com states that “[t]he brewery name comes from its northeast zone, deemed the ‘Atlas District’ after anchoring art deco Atlas Theater on H Street.”); *Capital Beer: A Heady History of Brewing in Washington, Part 3* attached as Exhibit R (where author Garrett Peck states that Atlas Brew works was “[n]amed after the nearby Atlas District.”)

Despite its claims, Applicant has not made any apparent effort to associate its product with Greek mythology. Even if Applicant sincerely chose the name “Atlas” to reference Greek mythology – which seems dubious given its Interrogatory Answers – it has done little to create such an association in the average consumer’s mind. It certainly cannot overcome the obvious

association that the average Washingtonian will make between a beer called “Atlas” and the district in or near which she is standing.

D.C. area media perceives that Applicant’s mark refers to the Atlas District. Applicant has a strong desire to associate its products and mark with a burgeoning D.C. craft beer market, and has no apparent ambition to market its products outside of the limited geographical area in which associations between the name “Atlas” and a geographical region are likely to be the highest. This burgeoning market creates a strong financial incentive for Applicant to associate its mark and products with the area. Applicant has done little to disabuse these associations, marketing itself heavily as a local D.C. brewery, and taking no steps to create an association in the consumer’s mind between its mark and Greek mythology. Most tellingly, when Applicant was asked, point blank and under oath, why it had chosen the “Atlas” name, it said that it was a reference to the Atlas District. Opposer’s motion should be granted.

II. The Atlas District is Generally Known.

In an affidavit attached to the Opposition Brief, Cox anecdotally states that he does not believe “that the name Atlas District is generally known.” See Opposition Brief, Exhibit A, pg. 5. Cox claims that the Atlas District is “more commonly known as ‘H Street District,’ ‘H Street Northeast,’ ‘H Street Corridor,’ or simply ‘H Street’”. Id. Cox’s testimony is contradicted by: 1) the Applicant’s Interrogatory Answers, which he signed and which reference the Atlas District as a defined geographical location, 2) his own prior statements, including the June 5th Email, and 3) multiple periodicals and publications on the internet defining the Atlas District as a recognized geographical location.

In its Interrogatory Answers, the Applicant explicitly stated that it chose the name “Atlas” because “the ‘Atlas District’ is the name of the commercial strip neighborhood in the

District of Columbia near the intended location of the brewery.” See Exh. A. The Interrogatory Answers were verified, under oath, by Cox. Id. This answer is consistent with the June 5th Email, where Cox explained to investors that the decision to use “Atlas Beer Works” was because “[t]he Atlas District is the name of the commercial strip neighborhood in DC that we will be near.” See Exh. B.

If the Atlas District was not generally known, why did Cox repeatedly reference it in his own correspondences? Why not reference the other names for the area contained in his self-serving affidavit? Why would the Applicant state, under oath, that “the name of the commercial strip neighborhood in DC that we will be near” is “[t]he Atlas District”? See Exhibit A.

Applicant has no answer for a simple reason: there is no answer. By Applicant’s own admission, the Atlas District is a real and recognized place. Its name comes from a “neighborhood branding campaign built around the revitalized Atlas Theater.” (A copy of the Atlas District Wikipedia Page attached as Exhibit S.) It is “trendy and transitional...where hip new restaurants are now as common as boarded-up store fronts once were.” See Exh. E. It draws “entertainment seekers from around the city.” See Exh. F. It is this association that the Applicant hopes to capitalize on.

CONCLUSION

The D.C. area has seen a resurgence in the demand for locally brewed craft beers. Not coincidentally, D.C. has seen an uptick in local breweries catering to this specific demand. The Applicant is one such brewery. The Applicant set out to create a brewery that appeals to local beer aficionados. See Exh. O, pg. 1. The market the Applicant seeks to enter is a unique market, unlike any other in the country. Id. The Applicant’s beers will be exclusively sold in this unique market. Id. The Applicant admits that it chose its name because it is close to a neighborhood in

the market it desired to enter. See Exhs. A and B. The Applicant will be selling its beers exclusively in restaurants and bars that are in the Washington, D.C. area. See Exh. O. These facts are not in dispute. Each of these facts was admitted by the Applicant, under oath, via the very medium the Board uses to determine the truth in these matters.

Applicant now claims, through self-serving affidavits, that its mark is not primarily geographically descriptive because other individuals, who it is not targeting, may think of a book of maps or a mythological figure when encountering the mark. This effort should not sway the Board. Applicant's mark is primarily geographically descriptive. It cannot be registered on the Principal Register. Opposer's motion for summary judgment should be granted.

WHEREFORE, Opposer requests that its Motion for Summary Judgment be granted, Opposer's Opposition be sustained and Application Serial No. 85642549 be refused registration, and any other relief this Board deems proper.

Respectfully submitted,
ATLAS BREWING COMPANY, LLC

/Robert J. Schaul/
Attorney of Record
Date: April 8, 2014

FUKSA KHORSHID, LLC
Lema A. Khorshid
Robert J. Schaul
Perry Gattegno
Thomas D. Carroll
70 W. Erie, 2nd Floor
Chicago, IL 60654
(312) 266-2221

CERTIFICATE OF SERVICE

I, Robert J. Schaul, hereby certify that I caused a true and complete copy of the foregoing Opposer's Reply Brief in Support of its Motion for Summary Judgment to be served upon Applicant's attorney of record via first class postal and electronic mail on this 8th day of April, 2014, at the following address:

Banner & Witcoff, Ltd.
c/o Anna L. King, Esq.
10 S Wacker Drive
Suite 3000
Chicago, Illinois 60606
aking@bannerwitcoff.com

/Robert J. Schaul/
Attorney of Record

EXHIBIT A

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

Atlas Brewing Company, LLC,)	Attorney Docket 008150.00003
)	
Opposer,)	Opposition No. 91210379
v.)	
)	Serial No. 85/642,549
Atlas Brew Works LLC,)	
)	Mark: "ATLAS"
Applicant.)	

**APPLICANT'S RESPONSE TO OPPOSER'S FIRST SET OF
INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Trademark Rule 2.120, and subject to its right to supplement these responses based on further investigation and discovery, Applicant, Atlas Brew Works LLC ("Applicant"), hereby objects and responds to Opposer's, Atlas Brewing Company, LLC ("Opposer's"), First Set of Interrogatories ("Opposer's Interrogatories") as follows:

PRELIMINARY STATEMENTS

1. Applicant's responses are made solely for purposes of this action. Each response is subject to the general and specific objections set forth below, as well as to all objections as to competence, relevance, materiality, and admissibility, and to any and all other objections on any grounds that would require the exclusion of any statements contained herein if such interrogatory were asked of, or statements contained herein were made by, a witness present and testifying in court, all of which objections and grounds are expressly reserved and may be interposed at the time of trial.

Interrogatory Request No.7.

Describe in detail the process in which Applicant created and/or chose Applicant's Mark, including when it was created, the reasons for its creation, and the person(s) involved in its creation.

RESPONSE:

Applicant objects to this interrogatory to the extent it seeks information protected by the attorney-client privilege or attorney work product doctrine. Subject to and without waiver of the General Objections and the foregoing objections, Applicant responds that it originally intended to use the term VOLSTEAD with its beer. On May 9, 2012, Applicant received an Office Action in its U.S. trademark application for "Volstead Beer Works" citing a likelihood of confusion refusal. Accordingly, in late May, 2012 Applicant's Chief Executive Officer, Justin Cox, began considering the mark ATLAS as an alternative. This was because the "Atlas District" is the name of the commercial strip neighborhood in the District of Columbia near the intended location of the brewery. Moreover, the name was determined to go well with the logo designed by Applicant's designer, Alan Guidera, for the previous mark and a preliminary sketch of the tap handle by Mr. Guidera was found to make a strong impression. Applicant's Chief Executive Officer also concluded that the initials of the intended brewery name, Atlas Beer Works, "ABW" would be useful for promotional purposes. Applicant's Chief Executive Officer also searched the U.S. Trademark Office's database and did not identify any conflicting registered or pending marks.

Interrogatory Request No.8.

Describe in detail all advertisements (i.e. promotional materials, marketing materials, commercials, brochures, labels and the like) for Applicant's products or services utilizing

The foregoing "APPLICANT'S RESPONSE TO OPPOSER'S FIRST SET OF INTERROGATORIES" are signed on behalf of Applicant as follows:

Dated: 12/24/13

ATLAS BREW WORKS LLC
By: 

Name: Justin Cox
Title: Chief Executive Officer

CERTIFICATE OF SERVICE

I hereby certify that on this Dec. 24, 2013, a copy of the foregoing Applicant's Responses to Opposer's First Set of Interrogatories was served by First Class Mail, postage prepaid, on counsel for Opposer, addressed as follows:

Lema A Khorshid
Fuksa Khorshid LLC
70 W Erie, 2nd Floor
Chicago, IL 60654



EXHIBIT B



Justin Cox <justin@atlasbrewworks.com>

Volstead Update 6/5

Justin Cox <justin@volsteadbeerworks.com>
To: Justin Cox <Justin@volsteadbeerworks.com>

Tue, Jun 5, 2012 at 8:56 AM

REDACTED

Hello all,

I wanted to pass along an update on our progress with Volstead. First thing is we've run into a trademark issue with the name Volstead Beer Works. House Spirits distillery in Portland, OR applied to register a trademark for "Volstead" in the distilled spirits category about two months before we applied to register in the beer category. That does not necessarily preclude our using that name, but it does cloud the water in terms of our chance of parsing the trademark details out in court. Rather than run that risk, we reached out to the CEO of House Spirits in hopes of reaching an agreement allowing us to use the name without litigation. I spoke to him in person briefly yesterday, he plans to get back to me in the next couple of days after talking with his lawyers. I've never known a lawyer (you know who you are out there) to be optimistic and advise a client to take the risk, so I am not hopeful we will be able to use the name Volstead.

After racking our brains through hundreds of alternatives, we landed on Atlas Beer Works. The Atlas District is the name of the commercial strip neighborhood in DC that we will be near. I think the name goes well with our current logo and my designer sent the attached preliminary sketch of a tap handle that makes a strong impression. We think the name is simple, strong, and memorable. And the initials ABW will be useful in swag, etc. Would love to hear your thoughts.

We are still trying to work out a lease for our brewing space. We are in negotiations with two different landlords. One is a two story building about two blocks from the NY Ave metro and the other is a warehouse space in the Florida Avenue Market (about 1/2 mile from metro). The process has been slower than I would like, but I hope to have something locked up in the next couple of weeks. Our preference is the 2 story building (in which we would only take about 1/4 of the bottom floor but have access to the roof deck). The listing broker has been dragging his feet in responding to our request for proposal and we just learned that he was working a deal with another tenant interested in the entire building, but that looks to be falling through. His attention is now focused on us and I hope they will have something over to us in the next couple of days. In the meantime, we are going through the proposal process with the Florida Avenue Market space as well. Trying to keep the ball moving as quickly as possible.

Once we have a deal worked out at either location, we will order our equipment and begin the build out. There is about a 14 week lag time for delivery of equipment which we will use to build out the space, apply for permits, design and post our website, facebook, twitter, merchandise, and start pre-selling some beer! We are waiting until we have some real estate locked down before we issue a press release about our existence. Most breweries start talking about their plans in the press more than a year before they are ready to brew. Our time frame should

11/14/13

Atlas Brew Works LLC Mail - Volstead Update 6/5

be a matter of months and I hope the quick ramp-up time will build some instant gratification excitement in the DC beer community. If we can get the real estate deal done in the next couple weeks, I believe we will still be on track for production starting in September.

Thanks for all your support and I will be in touch with another update as soon as we have news to break.

Cheers,
Justin

-

Justin Cox

CEO

Volstead Beer Works LLC

www.volsteadbeerworks.com

202-642-4606 (m)

888-832-5080 (f)



Atlas tap handle.pdf
191K

EXHIBIT C

With craft brewing boom, D.C.'s beer scene returns to its regional roots



Rebecca Cooper

Staff Reporter- *Washington Business Journal*

[Email](#) | [Twitter](#)

See correction at end of article.

We're taking a look at Greater Washington's beer industry in our print edition this week, focusing on the many local breweries and brewpubs that have sprung up in recent years. (Stay tuned for more bubbly beer content Friday.)

Arlington-based author [Garrett Peck](#), whose book "Capital Beer" was released this month, has been looking into the earlier wave of D.C.'s breweries, which in the Civil War era numbered around two dozen.

The one thing that today's beer businesses have in common with the District's brewers of old? A regional focus.

The heyday of Washington brewing was probably in the 1850s and 1860s, when tons of breweries sprung up to produce lager for the many Union soldiers stationed around the city. Eventually, the smaller, family-owned breweries closed, leaving about six huge breweries serving the region.

Click through the gallery at right for historical photos of the region's breweries.

Those breweries were well known and respected businesses, according to Peck. Their founders also owned real estate, started banks and operated rail networks. [Robert Portner](#), whose brewing company sat where Trader Joe's is now located on Washington Street in Alexandria, distributed his beer by rail throughout the south.

The largest Washington brewer, and one of the only ones that survived Prohibition, was the [Christian Heurich](#) Brewing Co. ([Heurich](#) sold ice during the 1920s to keep his business solvent.) Booze may have been able to flow freely,

but that didn't mean all was well for the brewer. One side effect of "The Noble Experiment" was the strengthening of huge, national beer companies.

"By the 1930s, there had emerged a national media market for advertising, so the ones who best competed in that were the national brewers, rather than the regional brewers like Heurich," Peck said. "The smaller brewers couldn't compete, and the national beer market really consolidated in the years after Prohibition."

The Heurich family closed the massive brewery — which sat on the Potomac River at the spot where the Kennedy Center is now — in 1956, and it wasn't until 2011, when D.C. Brau opened, that the city had another production brewery.

And what didn't work for Heurich — selling beer primarily regionally — is actually a much more viable business model today. The local food and beverage movement, along with a strong local loyalty among craft beer drinkers, makes for a robust regional craft beer scene.

D.C. Brau expects to distribute as far away as Connecticut, co-founder Brandon Skall told me. The significant resources necessary for distribution prevent the brewer from thinking bigger.

"At any given time, we'll have 300 to 400 kegs out in the marketplace. So add another market, and now I need to have a pool of 500 kegs, which is a huge amount of money," he said. "And it gets harder the farther away you get."

Bill Butcher of Port City Brewing Co. in Alexandria pointed out that keeping distribution closer to home helps ensure that everyone's getting the freshest and best-tasting beer possible.

"We don't have to travel very far to sell all the beer we plan to make," Butcher said.

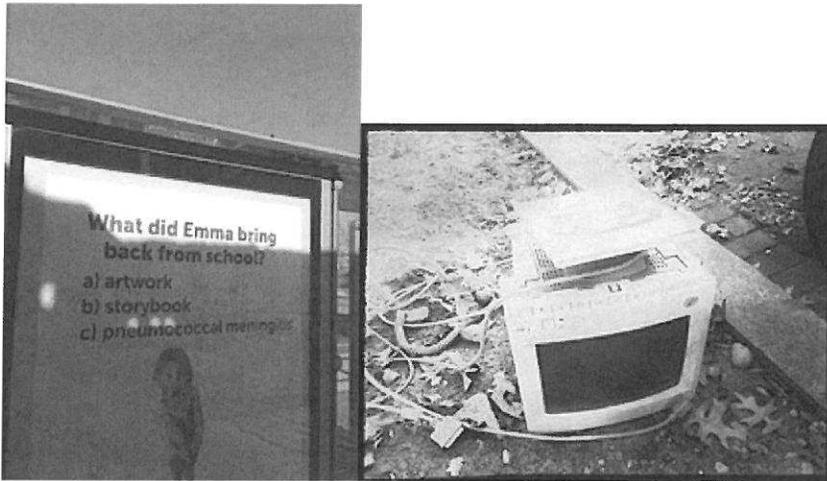
Both D.C. Brau and Port City have a ways to go before they catch up to Heurich's capacity. At approximately 15,000 barrels per year each, they're making just a fraction of the 200,000 barrels per year Heurich was making at his peak.

Correction

The original version of this story misstated the amount of beer that the Heurich Brewing produced. Although there were marketing materials that listed the brewery's capacity at 500,000, a member of the Heurich family reached out to tell us that the most beer the brewery ever made in a year was "somewhere in the 200,000 barrel range."

Rebecca Cooper covers retail, restaurants, tourism and the arts.

EXHIBIT D



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Best Of 2013: The Year In Beer, Reviewed



Bluejacket in Navy Yard. Photo by John Fleury.

It is very easy to take the D.C.'s current beer scene for granted. For people who grew up in areas of the country where beer culture has been strong for years, D.C.'s good beer infancy could appear almost cheek-pinchingly quaint. For beer fans newer to the game, the availability of craft in almost any neighborhood in the city is standard, and they have never known the joy of simply finding Tupper's or Sierra Nevada on draft among the sea of Bud and Miller. Today, we expect to find one of our favorite local beers alongside national and international offerings. And to me, having moved here in 1999, that is one of the most exciting things about beer in 2013. We're no longer surprised by the amount of craft in the city. We expect and demand it. And this couldn't make me happier.

This year, the city got its newest brewery, [Atlas Brew Works](#) in Ivy City. Founders Justin Cox and Will Durgin rolled out the first beers in September in bars all over the city and recently did a first run of bottles of their Saison de Fetes, a dry and deliciously earthy saison with French Triskel hops. Other beers from Atlas include the Rowdy, a hop-forward rye ale, the District Common, an easy drinking California Common, and the NSFW, a bold imperial black IPA. Atlas, like the other breweries in town, offers tours and growler fills on Saturdays and hopes to get more bottles into the city as soon as possible.

While some were opening their doors for the first time, some of the other breweries in the city were expanding their roster — and even expanding their operations. [DC Brau](#) wasted no time in utilizing their space over on Bladensburg Road. Increasing both production and storage space, D.C.'s first brewery in the craft revolution was named one of the fastest growing in the country, and this year's

numbers should certainly be their highest yet. With this growth has come some great additions to their portfolio. In May, Brau partnered with D.C. United to give the city The Tradition, a golden ale that head brewer Jeff Hancock made to create a beer “that all soccer fans can enjoy”.

3 Stars Brewing in Takoma also recently expanded and plans to use this increased tank space to not only get out more beer to the bars (as they can barely keep up with current demand from all over the city), but to roll out a bottle program for their biggest fans who want to get their hands on exclusive releases. Set to accept members on January 2 at 11 a.m., the Illuminati Reserve Society will have a yearly membership of \$100 and will include five limited release beers, numerous discounts, and early invitations to many of their events that sell out. With the price of many rare-bottle conditioned beers and the cost of locating them, this program easily pays for itself for the fans who enjoy the more exotic side of craft beer.

D.C. also got more local brewpubs in 2013. Neighborhood Restaurant Group opened Bluejacket this fall in an impressive Navy Yard building to much fanfare. James Beard Award-nominated beer director Greg Engert recruited Cambridge Brewing Company's Megan Parisi and Bobby Bump, formerly of Allagash, into a brewery (with adjoining restaurant The Arsenal) that “makes complex beers that are redolent of their inspirations.” With over 20 beers that have a huge range of flavors, this Southeast powerhouse is already having no problem filling the seats well before baseball season is barely a glint on the horizon. Further north in the reinvigorated Shaw, Right Proper has also opened to long lines and constant crowds, enjoying brewer Nathan Zeender's session-focused beers. The menu features deliciously delicate beers like the Ornette — a wonderful cousin to the saison that is light, refreshing, and doesn't rely on a lactic presence as many saisons do — and Laird Fauntleroy — a full-bodied dark mild (clocking in at a quaffable 2.9 percent alcohol by volume) that hints at cocoa and toasted bread — that will suit all tastes. This space, located next to Howard Theatre, is just one of the many new restaurants and bars that have come to Shaw over the year.

While many think of D.C. as being one of the up-and-coming best in the U.S. for beer, it hasn't been lost on the country as a whole. This past March, the craft world focused on our city as the host of the Craft Brewers Conference. As brewers, bar owners, and industry people came for the conference and trade show, bars all over the city hosted events that were both informative and celebratory in nature. Hop Kitchen at Smith Commons, an open education forum on hops with a Q&A from the audience and some great hoppy examples of beer, was a highlight. It was certainly a week that helped solidify *This Town* as a national destination city for all things beer. While there are many cities that have more bars and more breweries, D.C.'s distribution laws afford us some of the most beers available for purchase of anywhere in the country. This is one of the most important aspects to our growth in such a short amount of time and give us the ability to grow in many ways in the long-term.

The year gave way to number of not only beer-centric bars, but growler fills at breweries, brewpubs and some stores, and even craft beer in Nationals Park. We no longer have to travel to another neighborhood for good beer. Good beer has come to many neighborhoods, and is constantly becoming commonplace in our wants for where we choose to spend our money. H Street NE, the Hill, and Petworth have become bigger players in supporting the city's love of craft beer. 2013 has also seen a number of beer gardens like Bardo and Dacha, which allow us to drink and be social in more communal, outdoors environments with group seating. Restaurants now understand that good wine with a sub-par beer and cocktail list is no longer permissible because we can simply go elsewhere for good food *and* good drink.

So what does this mean for 2014?

There will be a simultaneous pull in our market to expand the ingredients and innovation that is in brewing while moving away from big, boozy beers and back into full-flavored but more palatable alcohol levels. So called “session beers” (named after the British idea of being able to have a few rounds in a session and still be able to go back to work and be productive) have been coming about in late 2013, and will make their huge impact next year for any people who enjoy a beer but don't want to be blitzed after one or two because of a double-digit ABV.

More breweries are also on the way. [Hellbender Brewing Company](#) should be commercially producing beers by February 2014. Underground sensation [Adroit Theory](#) has already made quite a name for itself in the homebrewing and brewing community, with its beautiful branding and labeling, and is poised to start production early next year to provide something a little different than the average pale ale. But this expansion comes with a caveat. Competition is fierce in this city. We have been blessed with starting much later to the game of brewing only in the sense that we didn't have those half-assed breweries that rode along coattails through the '90s making barely drinkable beer. While many have their favorite local breweries and like others less, it is hard to argue the quality of the area's beer. 3 Stars, DC Brau, Chocolate City, Port City, Capital City, Gordon Biersch, Rock Bottom, District Chophouse, and Lost Rhino have all proved in [national arenas](#) that they can compete with the best. While these breweries make very different beers, we should be proud of what they make regardless of our palate preferences.

But these breweries are going to have to keep their brewing chops up as many up-and-comers enter the market, ready to take their own accolades. Even those not yet making beer have to be aware that beer — while it has a small and friendly community — is still a business. Recently, there was trouble in the trenches when Citizens Brewing (now called Denizens Brewing because of the incident) received a [cease and desist](#) letter from DC Brau over possible issues concerning their brewery name and DC Brau's flagship The Citizen. While the majority of people saw this issue very cut and dry in favor of Brau (imagine walking into a bar and asking for “a citizen” and the bartender replying: “Which one?”), it showed that brewing is a [business](#). A small business invests a lot of money in branding and creating a name for itself, and any similarities between other local businesses should be avoided at all costs.

With so much happening within D.C.'s thriving beer culture, it would be easy to take this for granted. I often walk into places and quickly glance through long lists of beer and don't get excited as I once did a few years ago. And this isn't a flaw of the establishment. It is a source of pride for me to all who helped make this city to flush with beers made down the street to beers made on the other side of the world in 2013. I welcome how nonchalant we have become at such an amazing city for beer.

I can't wait for what 2014 has in store for our pint glasses. Cheers.

Contact the [author](#) of this article or email tips@dcist.com with further questions, comments or tips.
John Fleury in [Food](#) on Dec 30, 2013 3:33 pm

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DC'S GROWING CRAFT BEER SCENE – ATLAS BREW WORKS



Atlas Brew Works owners Will Durgin (left) and Justin Cox (right) in their brewery space before installation

Can Washington, DC handle another brewery? Atlas Brew Works' Justin Cox and Will Durgin think it can. They're doubling down on their belief and will be launching DC's newest craft brewery this spring. Named after the area's trendy and transitional Atlas District, where hip new restaurants are now as common as boarded-up store fronts once were, Atlas Brew Works has big plans to bring unique and mature beers to the Nation's Capitol.

When you look at the growing DC craft beer industry, you might think it's getting overcrowded - but you would only need to look at Portland, Oregon to realize you might be wrong. Portland is currently home to some 40+ breweries. DC's population of 600,000 is slightly larger than Portland's, yet it has less than 10 native breweries. Granted, DC's impressive urban sprawl brings it beer from neighboring states like Maryland and Virginia, but there's no indication of a slowdown in DC's demand for local brews.

Will and Justin will be putting the Atlas name, which is alive with mythological imagery, to good use with their imaginative disposition towards brewing. They're planning on starting with three main beers that deviate from the typical flagships. First - Rowdy, a rye beer that teeters on the edge between a Pale Ale and an IPA. Second - District Common, a beer brewed like a California Common, but named for its location of origin. They're keeping their third beer a secret, so the eager and thirsty will have to be patient.

But crowd-pleasers aside, what drives Will and Justin is producing beers with a pronounced maturity level. "We're not guys who just throw hops at problems," Will joked. Instead, they intend to make full-flavored and complex beers that aren't just fizzy hop sodas.

Will, who most recently brewed professionally in the Pacific Northwest, found himself influenced by winemakers in Portland, but he also draws inspiration from pros like Rob Tod at Allagash. One of the things Will and Justin hope to explore is combining the scientific aspects of brewing with the art of winemaking. "I

could be a really good winemaker," Will said, "if I took everything I know about science, and forgot it." His quip touches on their eagerness to experiment with barrel-aging and souring. Likewise, Justin is an expressed sour beer fan



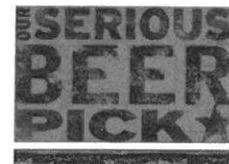
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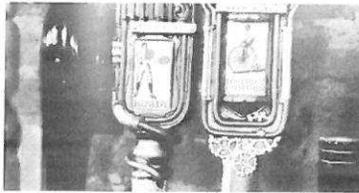
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and award-winning homebrewer who convinced Will, his longtime friend from college, to come to DC and co-found the brewery.

Atlas Brew Works now occupies a 9,200 square foot industrial space in Northeast, DC with a somber yet paradoxically inspiring view of the expansive Mount Olivet cemetery. With plans to have their beer hitting local bars and restaurants this

spring, Will and Justin are busy with all manner of preparations to get their 20 barrel system up and running. For two guys putting their hearts, minds, and wallets on the line, they're remarkably calm and down to earth. Without a doubt, they'll be a welcome addition to the growing DC craft beer scene.

Tags: Atlas Brew Works, DC, East Coast, Washington, Washington DC

CHRIS PAVETTO - DC CORRESPONDENT
MARCH 5, 2013



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Will, Congratulations! I know you will succeed. Like your dad, you have a great vision and perseverance. And, DC is a great place, better choice than NYC. Great job! I will recommend it to all my friends in DC.

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Absolutely. I hope I'm there for the first keg Will.

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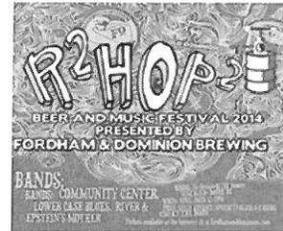


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The Atlas District has experienced a resurgence in the last few years. Several night spots line H Street, including live music venue [Rock 'n Roll Hotel](#), drawing entertainment seekers from around the city. A streetcar line is tentatively scheduled to open in 2013, bringing the promise of convenient public transport. Homes in the neighborhood include original federals, row homes, and single family homes. New York Avenue and the Baltimore-Washington Parkway provide access to Maryland, while [Union Station](#) near the western edge of the Atlas District offers Amtrak and Metro service.



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FIRST LOOK: ATLAS BREW WORKS

AUGUST 1, 2013 | 11:00AM

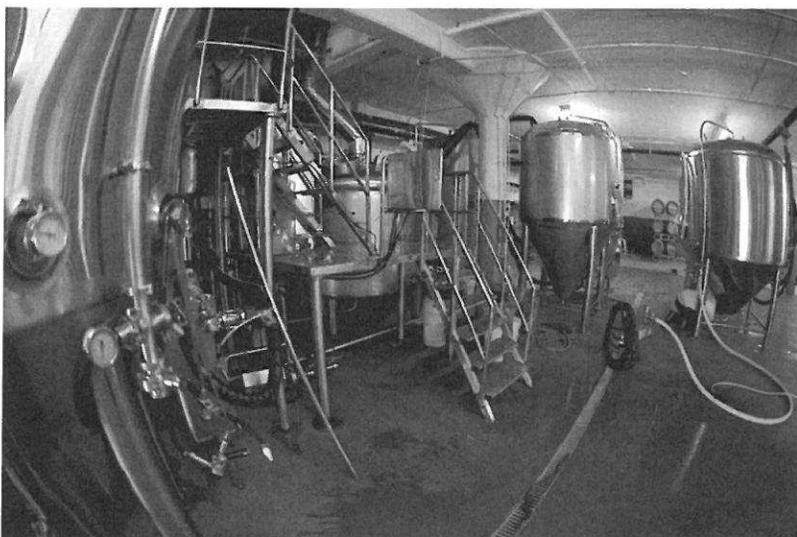


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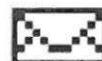
Atlas Brew Works—the latest craft brewery to call D.C. home—has been a project years in the making for founders and friends Justin Cox and Will Durgin. The pair has been working for two years to launch the brewery, and this past Friday the District powers that be gave them the green light to bring their craft to fruition: brewing beer in D.C.

After months of preparation, their brewing headquarters at 2052 West Virginia Ave NE will be making beer by the end of the week and is set to launch their operation officially at the beginning of September. Which is to say, you'll be able to enjoy their three draft offerings within the District's limits in several weeks' time.



Atlas head brewer Will Durgin moved to D.C. in late 2012 after successful stints at Telegraph Brewing Company in Santa Barbara, CA, and Pyramid Breweries in Portland. While Atlas has kept busy building out their space and equipment, Will has been sidelined from brewing for nine months, making this week all the more exciting.

"I've been working full-time on this since October and we never expected it to take so long," he said. "But the fulfillment is exciting and scary. This is sort of fulfilling my five years of work in craft brews."



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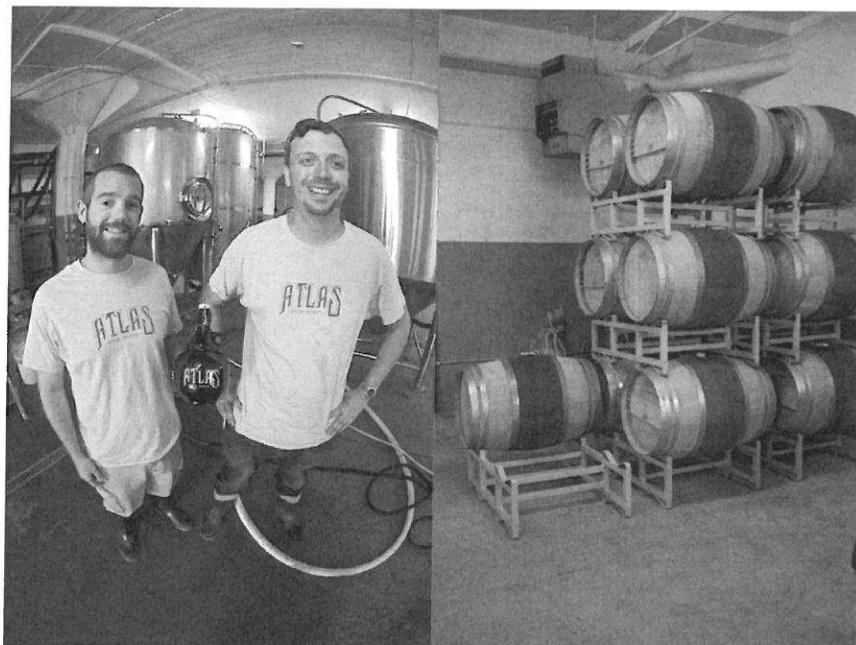
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Meanwhile, CEO Justin Cox has been living and homebrewing in D.C. for the past 10 years, where he recognized the opportunity to expand his hobby. "DC beer is coming up and it's exciting to be a part of that, it's a burgeoning scene."



In more local love, the Atlas folks also have a collection of wine barrels from Boxwood Winery in Virginia, which they'll use for a special series of aged beers with flavors imparted from the oak and red wine. Additionally, Atlas Brews will be distributed by Premium Distribution, one of the largest distributors in the District, meaning they've already got a foot in the door. It also means that there are a slew of things to get pumped for:

- Three brews from Atlas Brew Works: Rowdy, an American rye ale; District Common, a California common style; and the secretive but wonderfully named NSFW
- Coasters with puns
- Launch events around the city the week of Labor Day, September 2. Schedule TBD but expect to see Atlas Brews at the usual DC beer joints (ahem, Meridian Pint), as well as at Adams Morgan Day and a Saturday launch party at Smith Commons
- Tastings hosted at the brewery beginning in the coming months, along with your friendly NE neighborhood growler service

Keep up to date with their rollout on [Twitter](#) and [Facebook](#).

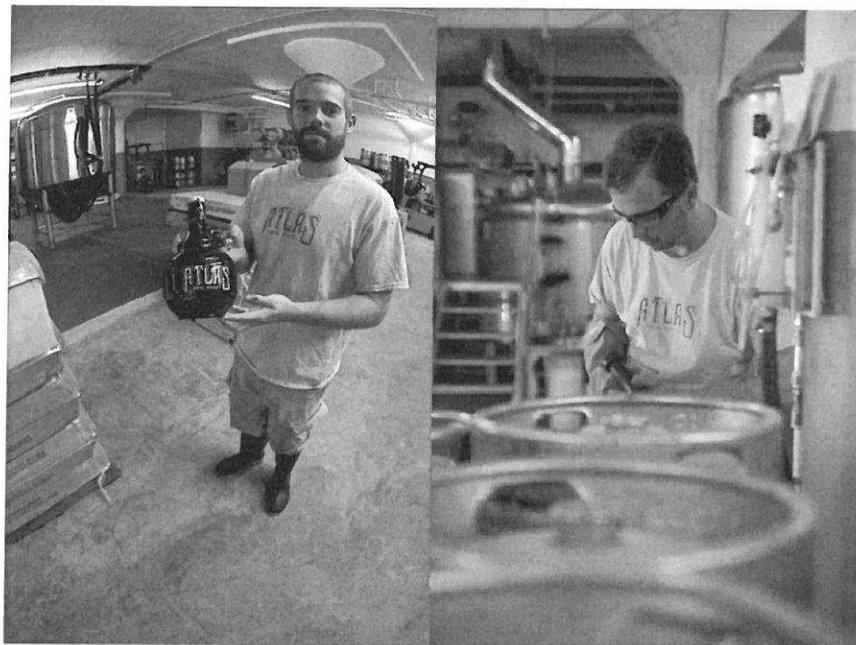
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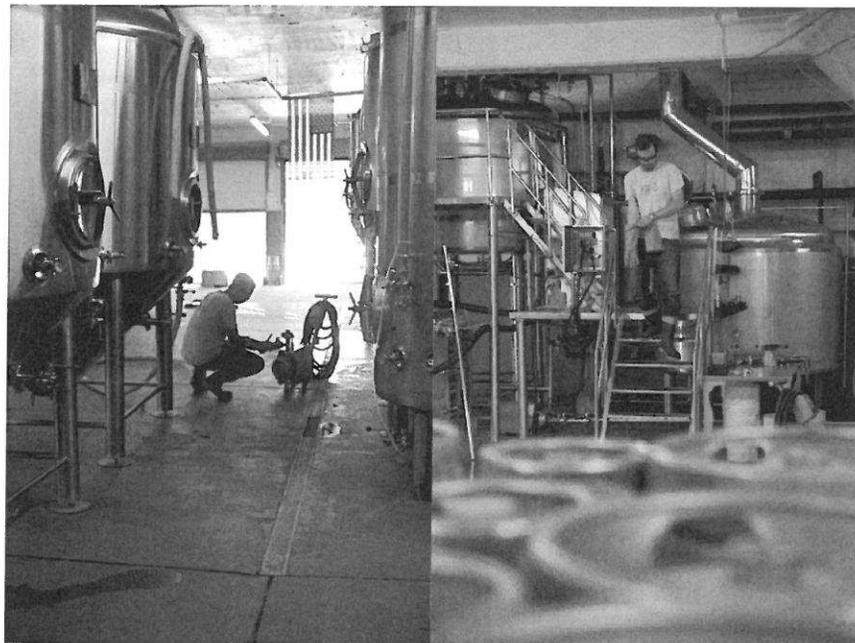


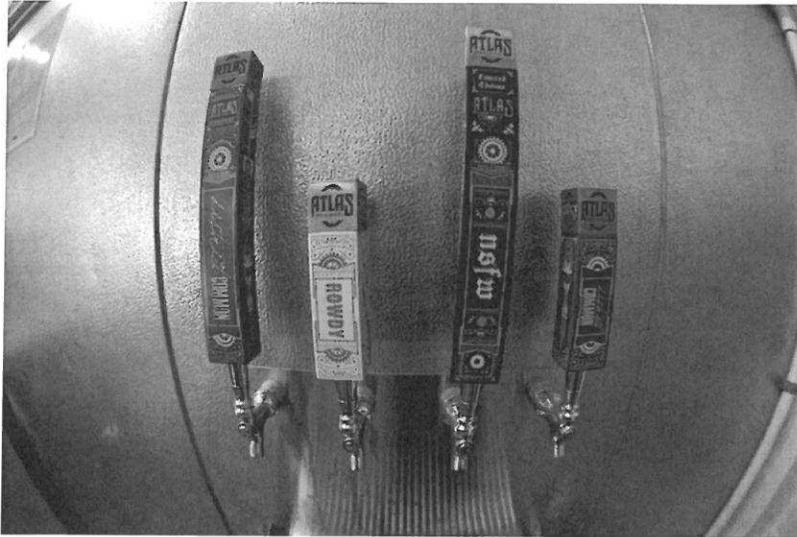
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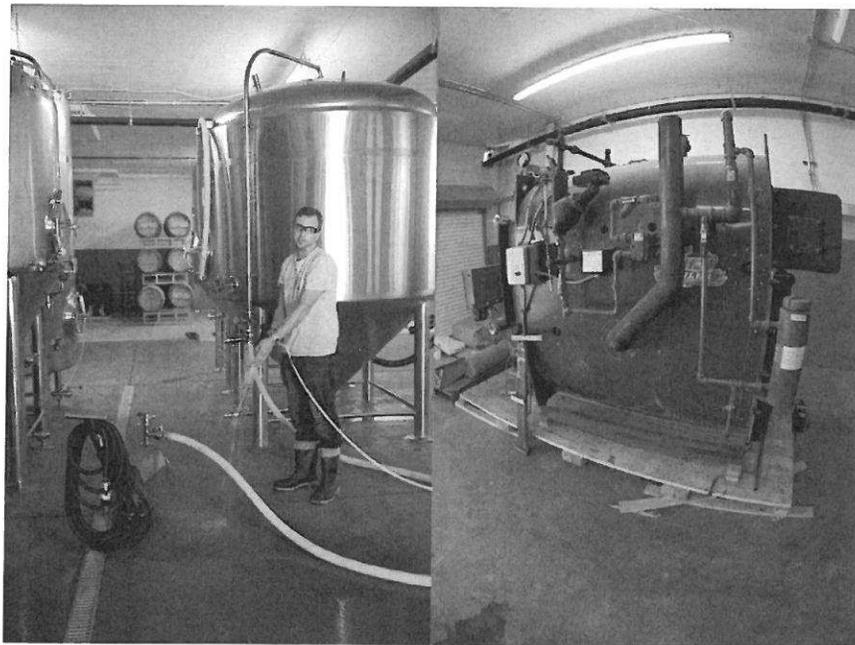
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We Tour Atlas Brew Works, Washington DC's 4th Brewery

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SLIDESHOW: We Tour Atlas Brew Works, Washington DC's 4th Brewery

Atlas Brew Works founder & CEO, Justin Cox, and head brewer, Will Durgin [Photographs: Brian Oh]

2013 has been something of a banner year for Washington DC's food and drink scene and there's little sign of slowing. One of the latest additions is the fourth major brewery to come online in the District. Joining the likes of [DC Brau](#), [3 Stars Brewing](#), and [Chocolate City Beer](#) is [Atlas Brew Works](#). Owned and operated by founder [Justin Cox](#) and head brewer [Will Durgin](#), who met during their time at Vanderbilt, Atlas Brew Works is just beginning to supply its brand of craft beers to bars around DC.



Atlas' first beers: District Common and Rowdy

Atlas is starting off on the small side. Currently operating a brewhouse housing three twenty barrel and two forty barrel fermenting vessels, Atlas' initial line-up of beers includes two flagship brews and one limited run. The District Common is their signature beer. It's a California Common style beer, fermented with lager yeast at ale temperatures and dry hopped with Czech Saaz hops. The Rowdy is Atlas' second flagship that Durgin describes as "not really fitting any traditional beer style categories". It's a recipe that he's been home brewing for eight years. Also dry hopped with Centennial and Zythos hops, the Rowdy is a ruby hued ale with rye comprising 15% of the grain bill. The initial run is designed to be "interesting, but not crazy." Durgin hopes that beers like the District Common will "attract people that aren't necessarily into craft beers."

The third brew is a limited release called the NSFW that Durgin describes as a high gravity beer. While the District Common and Rowdy will be Atlas mainstays, brews like the NSFW will be common experimentations for Cox and Durgin. The Atlas brewhouse also contains wood barrels for some barrel-aging experiments in the Belgian style. "Sour beers are some of the most expensive, risky, difficult beers to make," Durgin says, "yet when done well they are a delight to drink." He's an admirer of breweries like Allagash, Russian River, Logsdon Farmhouse, and Telegraph (where he once worked).



All of Atlas' beers are unfiltered. In fact, there are no filters in the brewery at all. "We try to clarify our beers without filtering them by holding them cold for extended periods of time." This produces beers that are "bright with haze," they say.

Atlas is entering the local scene at a time that's ripe for brewers like Cox and Durgin. "The groundwork for a great beer scene has been in place for years," says Durgin of DC, "but the brewing community is just now coming into its own." Not only have the existing three breweries extended their collective experience in navigating DC's regulations, but "the current explosion of restaurants in the District with great beer programs is giving the whole community a shot in the arm."



As Atlas gets off the ground and starts popping up in bars around DC like Meridian Pint and the Big Hunt, Cox and Durgin still look forward with two primary goals: "First and foremost to make a positive contribution to the DC beer community" and, secondly, "to be good members of the larger DC community by providing quality jobs and promoting DC as a beer destination." On that second point, Atlas has plenty of plans for growth. With room for 10 more tanks and a tasting bar, from which they hope to begin selling growlers and pints from, Atlas will likely be hiring additional brewers and tasting room staff in the future (get your résumés ready). So, keep an eye out for Atlas taps at your local bars soon!

[Head over to the slideshow for a peek behind the scenes at the brewery »](#)

About the author: [Brian Oh](#) is a Washington, DC based international development professional and a food, photography, and travel enthusiast. In his free time, you can usually find him stuffing his face in our nation's capital. Follow him on Twitter [@brianoh1](#)

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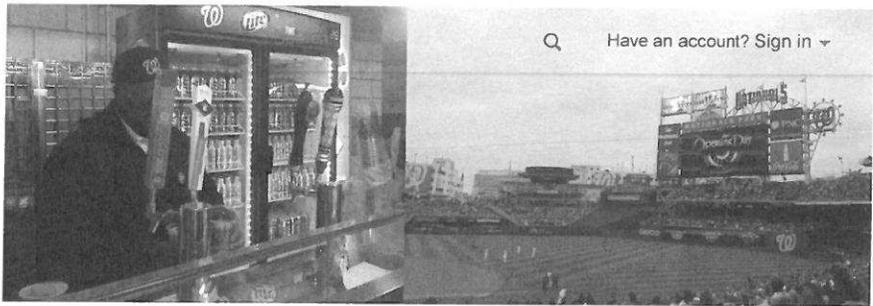
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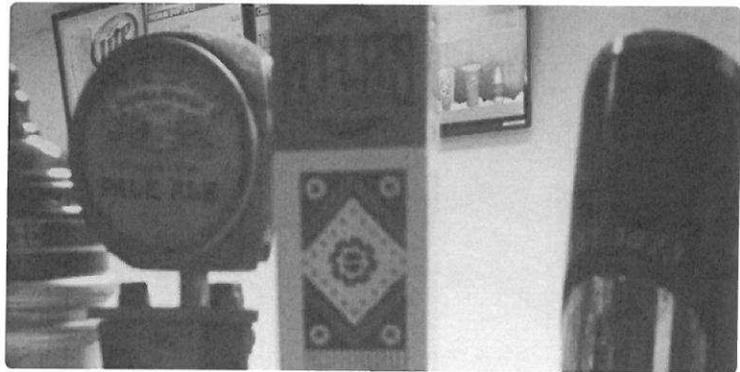
Atlas Brew Works @AtlasBrewWorks · Apr 4
Cheers and go Nats! @kiltedvet @Nationals @AtlasBrewer #Nats #Natitude #dcbrews

View conversation Reply Retweet Favorite More

Retweeted by Atlas Brew Works



kiltedvet @kiltedvet · Apr 4
Its @Nationals season opener & my first official beer is from @AtlasBrewWorks Welcome to #Natitude , @AtlasBrewer pic.twitter.com/R69D57EN9g



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Atlas Brew Works @AtlasBrewWorks · Apr 4
.@doubleuefwhy The 1500 will be in sections 209, 214, 217, 229, 242, 314. District Common on at the Red Porch. Cheers!

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Atlas Brew Works @AtlasBrewWorks · Apr 4
Opening day!! And the debut of The 1500, our exclusive lager for the @Nationals Cheers! #Natitude #dcbrews

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Atlas Brew Works @AtlasBrewWorks · Apr 2
@Westbrookbeer Atlas is headed to South Carolina this weekend. Could we drop in for a visit Friday around 6ish? Cheers!

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Atlas Brew Works @AtlasBrewWorks · Apr 2
@dcsportsbog Perhaps it is then!

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Atlas Brew Works @AtlasBrewWorks · Apr 2
@dcsportsbog Home Rule is our pale lager made w/ Waimea hops from New Zealand. That'll be in some of the District Draft carts coming up...

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Atlas Brew Works @AtlasBrewWorks · Apr 2



 **@dcsportsbog** We'll have both The 1500 and District Common in park for opening day! [Search](#) [Q](#) [Have an account? Sign in](#)

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 **Atlas Brew Works @AtlasBrewWorks** · Apr 2
@SALOSeries Can't do it this Sunday but would love to in the future!

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 **Atlas Brew Works @AtlasBrewWorks** · Apr 2
Hats off to @dbbrewingco who beat us 5-4 in the second round of #beermadness. You guys better win it all, now!

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[Retweeted by Atlas Brew Works](#)

 **Kelsey Sloss @Ksloss** · Apr 1
"If God drank beer he would drink the District Commons." -bartender at @TheBrixtonDC. Cc @AtlasBrewWorks that's some heavy boots to fill.

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 **Atlas Brew Works @AtlasBrewWorks** · Apr 1
Love Ghibellina! @Ghibellina instagram.com/p/mQ0r1vhgFe/

[from Washington](#) [Reply](#) [Retweet](#) [Favorite](#) [More](#)

 **Atlas Brew Works @AtlasBrewWorks** · Apr 1
Big news from Atlas! We're teaming up with the @Nationals on a beer exclusivley for Nats Park! #NATITUDE #dcbrews scriptogr.am/atlasbrewworks...

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[Retweeted by Atlas Brew Works](#)

 **The Brew Enthusiast @brewenthusiast** · Apr 1
@AtlasBrewWorks Got Rowdy last night. Really, really Rowdy. Thanks for the good times.

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[Retweeted by Atlas Brew Works](#)

 **Scion Restaurant @ScionRestaurant** · Mar 31
Just tapped @ Dupont! @AtlasBrewWorks Home Rule, @DLCider Celebration, @GLBCinDC Tripel Dog Dare goo.gl/nev59H

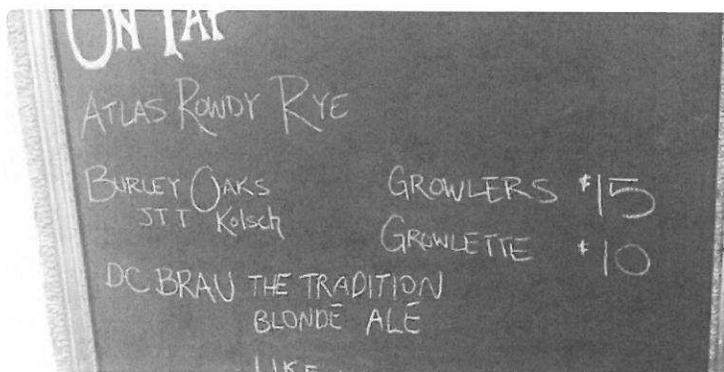
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 **Atlas Brew Works @AtlasBrewWorks** · Mar 31
Over the weekend our second round opponents pulled ahead of us! Help us out and vote in #beermadness! #dcbrews washingtonpost.com/beer-madness/

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[Retweeted by Atlas Brew Works](#)

 **Broad Branch Beer @broadbranchbeer** · Mar 30
On tap welcome back @AtlasBrewWorks rowdy rye! Welcome @burleyoak Kolsch (1st time on tap) @dcbrau tradition #dcbrews pic.twitter.com/FLGMbIRkqR



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Retweeted by Atlas Brew Works Have an account? Sign in



Right Proper Brewing @RightProperBeer · Mar 29

.@chefrobertcain is grilling up some corned veal tongue tonight. #seeninshaw
pic.twitter.com/E0B4lrzkYb



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Atlas Brew Works @AtlasBrewWorks · Mar 29

It's only a drizzle! Don't let that stop you from coming to the Tasting Room today 1-4pm. Tastings, tours, and growlers!

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Atlas Brew Works @AtlasBrewWorks · Mar 28

Have a great weekend everyone! #dcbrews #craftbeer #getrowdy @ Atlas Brew Works [instagram.com/p/mGbWD7BgCj/](https://www.instagram.com/p/mGbWD7BgCj/)

from Washington Reply Retweet Favorite More

Retweeted by Atlas Brew Works



Stephen Ball @stephen__ball · Mar 27

Hey @AtlasBrewer @AtlasBrewWorks I had #rowdy for the first time this week. Tasting notes: three words...A-MAZ-ING #dcbrews

from Washington Reply Retweet Favorite More



Atlas Brew Works @AtlasBrewWorks · Mar 27

VOTE ATLAS! Support DC and vote for us in the @washingtonpost's bracket! #dcbrews #craftbeer washingtonpost.com/beer-madness/

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Atlas Brew Works @AtlasBrewWorks · Mar 26

@TheJoshCenter @PCBCBrewMetal @redbeardreza @TheSword THAT is a great lineup!

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Retweeted by Atlas Brew Works



Tim Prendergast @CellarmanDC · Mar 26

I'm behind the stick for this tonight. "@goingoutguide: Head to @MeridianPint to sample Beer Madness picks wapo.st/P20QuD"

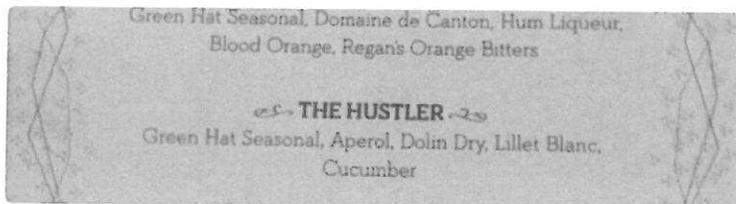
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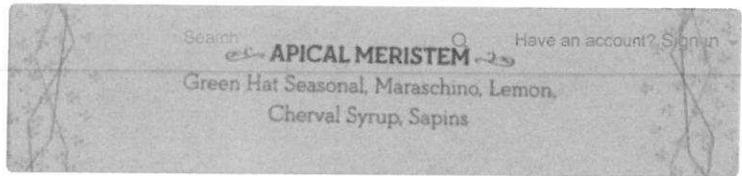
Retweeted by Atlas Brew Works



NewColumbiaDistillers @dcdistillers · Mar 26

Tonight's cocktails @boundaryrd come get some! pic.twitter.com/IQEgkvzv4





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Atlas Brew Works @AtlasBrewWorks · Mar 26

We need a real go-getter. scriptogr.am/atlasbrewworks...

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Atlas Brew Works @AtlasBrewWorks · Mar 26

Did you know we serially reuse yeast from batch to batch? After about ten generations it's time for a... instagram.com/p/mAjBMQhgNM/

from Washington, DC Reply Retweet Favorite More

Retweeted by Atlas Brew Works



Tommy Wells @TommyWells · Mar 25

Im all in for Atlas Brew Works District Common: Beer Madness, Round 1: From 32 to 16 via @washingtonpost.wapo.st/1gWhWQO

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Retweeted by Atlas Brew Works



Corey Poole @broknshillelagh · Mar 25

@AtlasBrewWorks Ha! I see that guy every other week. Always glad he comes back and visits.

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Atlas Brew Works @AtlasBrewWorks · Mar 25

The happiest keg in the Atlas fleet! #craftbeer #dcbrews #happy instagram.com/p/l-no31BgIX/

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Retweeted by Atlas Brew Works



Will Durgin @AtlasBrewer · Mar 25

Vote for DC! @Bluejacketdc @dcbrau and @AtlasBrewWorks all advance to the Sweet Sixteen! Support #dcbrews! washingtonpost.com/beer-madness/

Expand Reply Retweet Favorite More



Atlas Brew Works @AtlasBrewWorks · Mar 25

And we're on to the Sweet 16 in the @washingtonpost Beer Madness bracket! Vote for Atlas early and often: washingtonpost.com/lifestyle/food... #dcbrews

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Atlas Brew Works @AtlasBrewWorks · Mar 25

@sje7268 At the brewery of course! Come on by and we'll fill you up some growlers.

View conversation Reply Retweet Favorite More

Retweeted by Atlas Brew Works



The Big Hunt @bighuntdc · Mar 24

New drafts @oliverale Cherry Blossom @LeftHandBrewing Milk Stout @AtlasBrewWorks Home Rule @3starsbrewing Madness on Juniper cask! #dcbrews

Expand Reply Retweet Favorite More

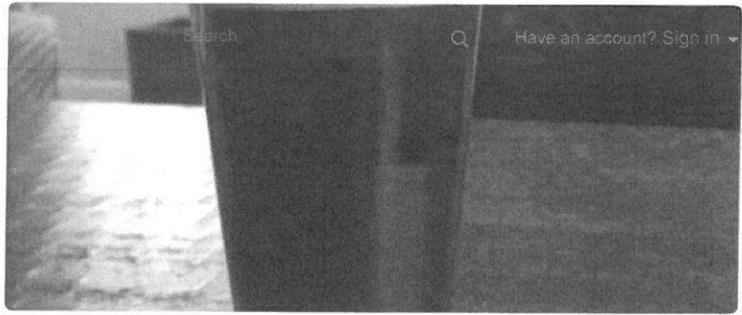
Retweeted by Atlas Brew Works



Don Holmes @DonnyHolmes · Mar 23

#rowdy @AtlasBrewWorks perfect pint and #elclasico all is good pic.twitter.com/zl5gqJTo8P





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Retweeted by Atlas Brew Works



Capitol Standard @CapitolStandard · Mar 20

@HeurichHouse knows the heart of DC - history and hops. Get your fill of both tonight featuring @AtlasBrewWorks ow.ly/uLWmg

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Atlas Brew Works @AtlasBrewWorks · Mar 20

Can't wait to pour some Atlas in the beautiful sunshine @heurichhouse today! Come join us and tour the Brew Master's castle.

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Smoke and Barrel @BeerBBQBourbon · Mar 20

HH Drafts 5-7: @monocacybrewing Helles @atlasbrewworks Home Rule @dcbrau Penn Quarter Porter @flyingdogtommy The Truth

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Retweeted by Atlas Brew Works



dcbeer @dcbeer · Mar 20

Coming up at Mar 20, 2014 06:30PM: History & Hops w/ @AtlasBrewWorks @HeurichHouse. See more at bit.ly/dcbeercalendar! #dcbrews

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Atlas Brew Works @AtlasBrewWorks · Mar 20

See you tonight @heurichhouse for our History & Hops event! Get your last minute tickets at eventbrite.com/e/history-hops...

View summary Reply Retweet Favorite More



Atlas Brew Works @AtlasBrewWorks · Mar 20

Help us take down the Baltimore guys @UnionBrewing like McNulty took down Stringer Bell:@washingtonpost Beer Madness! washingtonpost.com/beer-madness/

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Atlas Brew Works @AtlasBrewWorks · Mar 20

.@originalduffman Yes sir! Open 1-4 Saturday with beautiful weather to boot!

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Retweeted by Atlas Brew Works



UNION Craft Brewing @UnionBrewing · Mar 20

It's an honor just to be nominated, but we still want to crush @AtlasBrewWorks by a million votes. washingtonpost.com/beer-madness/

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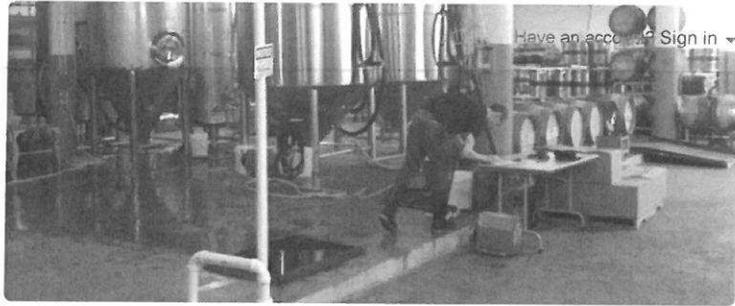
Retweeted by Atlas Brew Works



GBNavyYardBrewer @GBNavyYardBrew · Mar 19

Great visit to @atlasbrewworks today. Enjoyed the Home Rule IPL pic.twitter.com/odTM1Tk3xG





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Atlas Brew Works @AtlasBrewWorks · Mar 20

Our first round #beermadness matchup with @UnionBrewing is very close! Help put us over the top! washingtonpost.com/beer-madness/ #dcbrews #craftbeer

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Atlas Brew Works @AtlasBrewWorks · Mar 19

@boundaryrd Couldn't have written a better description of Home Rule ourselves! Cheers

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Retweeted by Atlas Brew Works



BoundaryRd @boundaryrd · Mar 19

We're really happy w/ our #beer list right now. @3starsbrewing @AtlasBrewWorks @TheBruery @PerennialBeer @Unibroue pic.twitter.com/SqTbVF7hPy

DRAFT BEER

<p>B.W. Beer Works The Raven, Baltimore, MD <i>Bright, clean, and easy-going. Smooth, golden and unpretentious.</i> VIENNA LAGER ABV 5.0% 16oz. .57 4oz. .33</p> <p>Atlas Home Rule, Washington, DC <i>100% Waiimea hops make for a citrusy bomb while pilsener base malts keep it light and bright. A beautiful exercise in boldness and balance.</i> INDIA PALE LAGER ABV 5.8% 16oz. .57 4oz. .33</p> <p>Perennial Saison De Lis, St. Louis, MO <i>Chamomile leads the way in this herb-forward saison. Bright, beautiful and golden, with a pleasant hint of yeasty must.</i> SAISON ABV 5.0% 12oz. .58 4oz. .34</p> <p>3 Stars Northern Samsquanch, Washington, DC <i>The 3 Stars Samsquanch we know and love, now with all American--and All-American--hops.</i> AMERICAN IPA ABV 5.8% 12oz. .58 4oz. .34</p>	<p>Bruery Humulus, Placencia, CA <i>A dank nose, an oily body, a creamy head-- than the sum of its parts.</i> AMERICAN DOUBLE ABV 7.2% 10oz. .54</p> <p>Unibroue Maudite, Chambly, Quebec <i>Creamy and full bodied, with apple and A smooth, satisfying finish that successf alcohol content.</i> BELGIAN STRONG ALE ABV 8.0% 10oz. .54</p> <p>Firestone Walker Wookey Jack, <i>Dark malts and citrusy hops combine IPA.</i> BLACK RYE IPA ABV 8.3% 12oz. .54</p> <p>Birificio Italiano Nigredo, Lusa <i>A perfectly composed beer. Toffe cloying in the finish. Dark brown, Smooth but with serious, satisfy</i> BLACK ALE ABV 6.7% 10oz. .54</p>
--	---

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Atlas Brew Works @AtlasBrewWorks · Mar 19

@LostBrewer Any time friend!

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Atlas Brew Works @AtlasBrewWorks · Mar 19

History & Hops w/ Atlas Brew Works @heurichhouse Tomorrow 6pm. Get your tickets while they last! eventbrite.com/e/history-hops...

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Atlas Brew Works @AtlasBrewWorks · Mar 19

Vote for District Common in round 1 of the @washingtonpost Beer Madness! washingtonpost.com/beer-madness/ #dcbrews

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Atlas Brew Works @AtlasBrewWorks · Mar 19

History & Hops w/ Atlas Brew Works @heurichhouse Tomorrow 6pm. Get your tickets while they last! eventbrite.com/e/history-hops... #dcbrews

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Retweeted by Atlas Brew Works

Mel Morgan @MellowAdMo · Mar 18 Search Have an account? Sign in

#TuesdayTrivia returns downstairs tonight at 8pm. \$15 pitcher specials of @AtlasBrewWorks #RowdyRye and prizes totaling \$75+

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Retweeted by Atlas Brew Works

John Taylor Williams @WryneckStudio · Mar 18

Nice Rye!!! Spicy AND Hoppy!! 5 Stars!! - Drinking a Rowdy by @AtlasBrewWorks at @elephantcastle — untp.it/1ifHv3k #photo

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Retweeted by Atlas Brew Works

Go Good @GoGoodInc · Mar 18

@boundaryrd promotes #cleanpower! Switch for a \$35 gift card toward their great pours like @AtlasBrewWorks & more! ow.ly/uIDSt

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Atlas Brew Works @AtlasBrewWorks · Mar 18

Voting for @wcp Best-of poll is tight! Every vote counts, please vote @AtlasBrewWorks! Thanks! washingtoncitypaper.com/bestofpoll/nom... #dcbrews #craftbeer

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Retweeted by Atlas Brew Works

BoundaryRd @boundaryrd · Mar 18

Help kick a few kegs! \$5 pours until they're gone @AtlasBrewWorks Saison de Fetes, @MotherEarthBrew Dark Cloud & @UnionBrewing Balt Altbier

from Washington, DC Reply Retweet Favorite More

EXHIBIT J

[Back to Atlas \(http://atlasbrewworks.com\)](http://atlasbrewworks.com)

[Archive \(http://scriptogr.am/atlasbrewworks/archive\)](http://scriptogr.am/atlasbrewworks/archive)



<http://scriptogr.am/atlasbrewworks>

Apr 1, 2014

[Atlas Brew Works Teams Up with the Washington Nationals to offer The 1500 South Cap Lager Exclusively at Nationals Park \(http://scriptogr.am/atlasbrewworks/post/atlas-brew-works-teams-up-with-the-washington-nationals-to-offer-the-1500-south-cap-lager-exclusively-at-nationals-park\)](http://scriptogr.am/atlasbrewworks/post/atlas-brew-works-teams-up-with-the-washington-nationals-to-offer-the-1500-south-cap-lager-exclusively-at-nationals-park)

WASHINGTON, D.C. – Atlas Brew Works, the District’s newest production craft brewery, today announced an addition to its lineup, The 1500 South Cap Lager, made exclusively for the Washington Nationals.

“We are excited to have Atlas in the ballpark this season and even more excited to work with the Nationals on an exclusive beer for our favorite baseball club.” said Atlas CEO Justin Cox, “The Nationals are making a big push to include local food and drink in the ballpark and The 1500 will be a great local option for fans,” said Jonathan Stahl, Senior Director of Guest Experience and Hospitality.

The 1500 South Cap Lager, named after the address of Nationals Park, is a 4.8% Helles lager that will be a great compliment to a sunny day in the stands. “The 1500 is an American spin on a traditional German style pale lager. It features light malt notes and earthy American hops,” said Will Durgin, Atlas’ Head Brewer. The beer will be available at locations throughout the three levels of the ballpark the Red Porch Restaurant in Center Field Plaza.

Atlas Brew Works, founded by Justin Cox and award winning professional brewer Will Durgin, will launch The 1500 at the home opener for the Nationals on April 4, 2014. Atlas will also rotate other beer offerings at the District Draft carts throughout the season including Rowdy, a hop-forward American-style Rye ale; District Common, a California Common featuring Czech Saaz hops; and Home Rule, an India Pale Lager featuring Waimea hops from New Zealand.

Atlas Brew Works is located in the Ivy City neighborhood of Northeast DC and provides fresh, local craft beer to thirsty Washingtonians in taverns and restaurants across the District.

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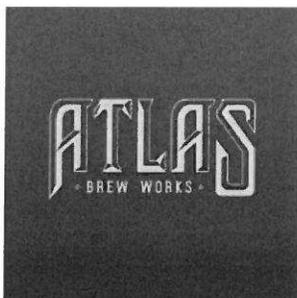


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ATLAS
- BREW WORKS -**News**[←Back to News & Events \(/news-and-events\)](/news-and-events)

Atlas Brew Works Set to Debut 9/2-9/8

By [Chris Van Orden \(/users/chris-van-orden\)](/users/chris-van-orden) - August 8, 2013

Congrats to our friends at **Atlas** on their impending opening! More on the debut events as details come in.

From a press release:

Atlas Brew Works, the District's newest production craft brewery, today announced the dates its fresh, local craft beers will be available in bars and restaurants around the District.

"We are excited to finally be licensed to manufacture beer in the District," said Atlas CEO **Justin Cox**, "We can now focus on creating great quality craft beers to share with our community in DC."

Atlas Brew Works, founded by Cox and award winning professional brewer **Will Durgin**, will launch the week of **September 2nd -8th** with an event in a different neighborhood across DC each night. Atlas will premier three beers that week: **Rowdy**, a hop-forward American-style Rye ale, accented by the peppery notes of rye; **District Common**, a California Common featuring Czech Saaz hops; and a third beer, **NSFW**, which will remain a surprise.

Atlas Brew Works is also excited to announce the addition of **Dan Bedford** to its brewing staff. Bedford's impressive resume includes working on the brewing and cellar staff at Flying Dog in Frederick, MD followed by brewing for the Bristol Beer Factory in Bristol, England.

"Dan is a great addition to our team and the skills he brings to Atlas will be an asset to our brewery's mission of brewing local craft beer of the highest quality," commented Head Brewer Will Durgin.

Atlas Brew Works is located in the Ivy City neighborhood of North East DC and will provide fresh, local craft beers to thirsty Washingtonians in taverns and restaurants across the District.

Neighborhood: [District of Columbia \(/neighborhood/district-of-columbia\)](/neighborhood/district-of-columbia)

[Union Market/Bloomingdale \(/neighborhood/union-marketbloomingdale\)](#)

News Categories: [Breweries \(/news-categories/breweries\)](#)

Tags: [Atlas Brew Works \(/tags/atlas-brew-works\)](#)

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DC BEER SCENE on Instagram



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DC BEER on Twitter

DC Beer: RT @Buffalo_Theory: In lieu of going outside this afternoon, I'll do SAVOR profiles for @dcbeer and listen to Broken Social Scene since the... 33 minutes ago

DC Beer: Coming up at Apr 08, 2014 05:00PM: Tap Takeover with @UnionBrewing at @PetworthCitizen. See more at <http://t.co/UAse4fis8h> #dcbrews 4 hours ago

DC Beer: RT @samesince83: "Session vs. Sessionable: Refining the Dialogue of Not Getting Slizzered @dcbeer <http://t.co/Z3R61bU9VP>" food for thought ... 7 hours ago

[@dcbeer on Twitter](#)

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<http://scriptogr.am/atlasbrewworks>

Dec 10, 2012

[Atlas Brew Works brings award winning local craft beer to the District of Columbia](http://scriptogr.am/atlasbrewworks/post/atlas-brew-works-brings-award-winning-local-craft-beer-to-the-district-of-columbia)
(http://scriptogr.am/atlasbrewworks/post/atlas-brew-works-brings-award-winning-local-craft-beer-to-the-district-of-columbia)

Duo combines homebrew and commercial brewing experience to open production brewery in the District of Columbia

WASHINGTON, DC – Experienced homebrewer Justin Cox is teaming up with longtime friend and accomplished commercial brewer Will Durgin to bring the District of Columbia fresh craft beer from Northeast DC. Atlas Brew Works plans to install its 20 barrel brew house at 2052 West Virginia Ave NE and begin producing unique local brews in the first quarter of 2013.

Atlas Brew Works' beer portfolio will include American style craft ales and lagers along with an extensive sour and barrel aging program. The beers will be crafted with careful consideration to food pairings and a flare for experimentation.

Cox and Durgin became friends while attending Vanderbilt University as engineering students. While there, they developed a taste for the full flavor and complexity of American craft beer, and dreamed of one day opening a brewery of their own.

Cox began homebrewing a few years later and was immediately hooked by the joy of the creative process and opportunity for experimentation his home brewery offered. Cox has created over twenty beer recipes during his eight years of homebrewing experience. His Schwarzbier Black Lager recipe took first place at the 2010 DC State Fair homebrew competition. He also took home the second place and Fan Favorite accolades at the 2011 DC Hombrewers Association Contest for his Rowdy Ale. He is now Founder & CEO of Atlas Brew Works after completing a Presidential Management Fellowship with the Federal government.

Durgin began professionally brewing beer immediately upon leaving college. In 2008, he graduated from the Master Brewers Program and the Professional Brewers Certificate Program at the University of California, Davis, one of the country's premiere

brewing institutions. He joined Telegraph Brewing Company in Santa Barbara, CA as a brewer and quickly rose to become Head Brewer in 2009 – making him the youngest Head Brewer in the State of California at the time. In 2010 Durgin began brewing on a larger scale at Pyramid Breweries in Portland, Oregon. As Head Brewer for Atlas Brew Works he will use his small and large scale brewing experience to oversee all aspects of production for the brewery.

While Durgin was Head Brewer at Telegraph, its California Ale and Stock Porter both earned an A- from beer critics Beer Advocate. Telegraph's White Ale was named one of the "Top 25 Beers of 2010" by Wine Enthusiast Magazine. While at Pyramid, Mactarnahan's Amber Ale earned a Silver Medal in the English Style Pale Ale category at the 2011 Great American Beer Festival. He also co-created the recipe for Telegraph's Rhinoceros Rye Wine that took Bronze at the 2012 World Beer Cup in the Other Belgian Style Ale category.

Atlas Brew Works will take over 9,200 square feet at 2052 West Virginia Ave NE later this month. ABW plans to invite the public for tours, tastings, and the opportunity to purchase fresh beer in growlers directly from the facility while learning about the art and science of brewing. "We live and now work in this neighborhood, and really want to integrate the business to be a good neighbor and to provide our community with a source of high quality local beer. We hope people will drop by to fill up a growler on their way home from work or while out and about. Freshness really makes a huge difference in a beer's taste, and a growler straight from our tanks is about as fresh as you can get!" said CEO Justin Cox.

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BeerAdvocate on your phone?! True story. Try the beta now.

Atlas Brew Works partners with Premium Distributors of Washington DC to distribute local craft beer

Discussion in 'US - Mid-Atlantic' started by Todd, Apr 10, 2013.



Todd
BA Founder
Staff Member

Location: Colorado

WASHINGTON, D.C. – Atlas Brew Works, the District's newest production craft brewery, today announced the signing of a distribution deal with Premium Distributors of Washington DC, the leader in beer distribution within the District.

"Premium's track record in craft beer speaks for itself," said Atlas CEO Justin Cox, "They have the infrastructure, resources, and professionalism to best represent Atlas in the District."

Atlas Brew Works, founded by Cox and award winning professional brewer Will Durgin, is on track to open this summer with three beers: Rowdy, a hop-forward American-style ale, accented by peppery rye notes, District Common, a California Common featuring Czech Saaz hops, and a third beer which will remain a surprise.

"We are thrilled to be working with a local DC brewery," commented John Zeltner, President of Premium Distributors of Washington DC, "Atlas will fill a void in our craft portfolio by offering a DC local and enhance our great selection of beers. Justin and Will are passionate brewers with a commitment to brew high quality beer; we look forward to partnering with them for many years to come."

The collaborative efforts of Atlas and Premium will guarantee beer drinkers within the District can enjoy a pint of fresh, locally crafted beer wherever fine beverages are served.

<http://atlasbrewworks.com>

###

Todd, Apr 10, 2013

#1

1up likes this.



machpost
Member

Location: District of Columbia

I can't tell if it is good news, or not. Are DC Brau, 3 Stars, or Chocolate City handled by a major distributor?

machpost, Apr 10, 2013

#2



jacewg
Member

Location:

Brau yes - Hop and Wine. 3 Stars self distributes. Same with Chocolate City.

Port City is also with Hop and Wine.

jacewg, Apr 10, 2013

#3

District of Columbia



AtlasBrewWorks
Member

Location:
District of Columbia

This is great news! Means we can concentrate on brewing quality beer instead of spending lots of time sitting in DC traffic delivering kegs.

AtlasBrewWorks, Apr 10, 2013

#4

dhartogs likes this.

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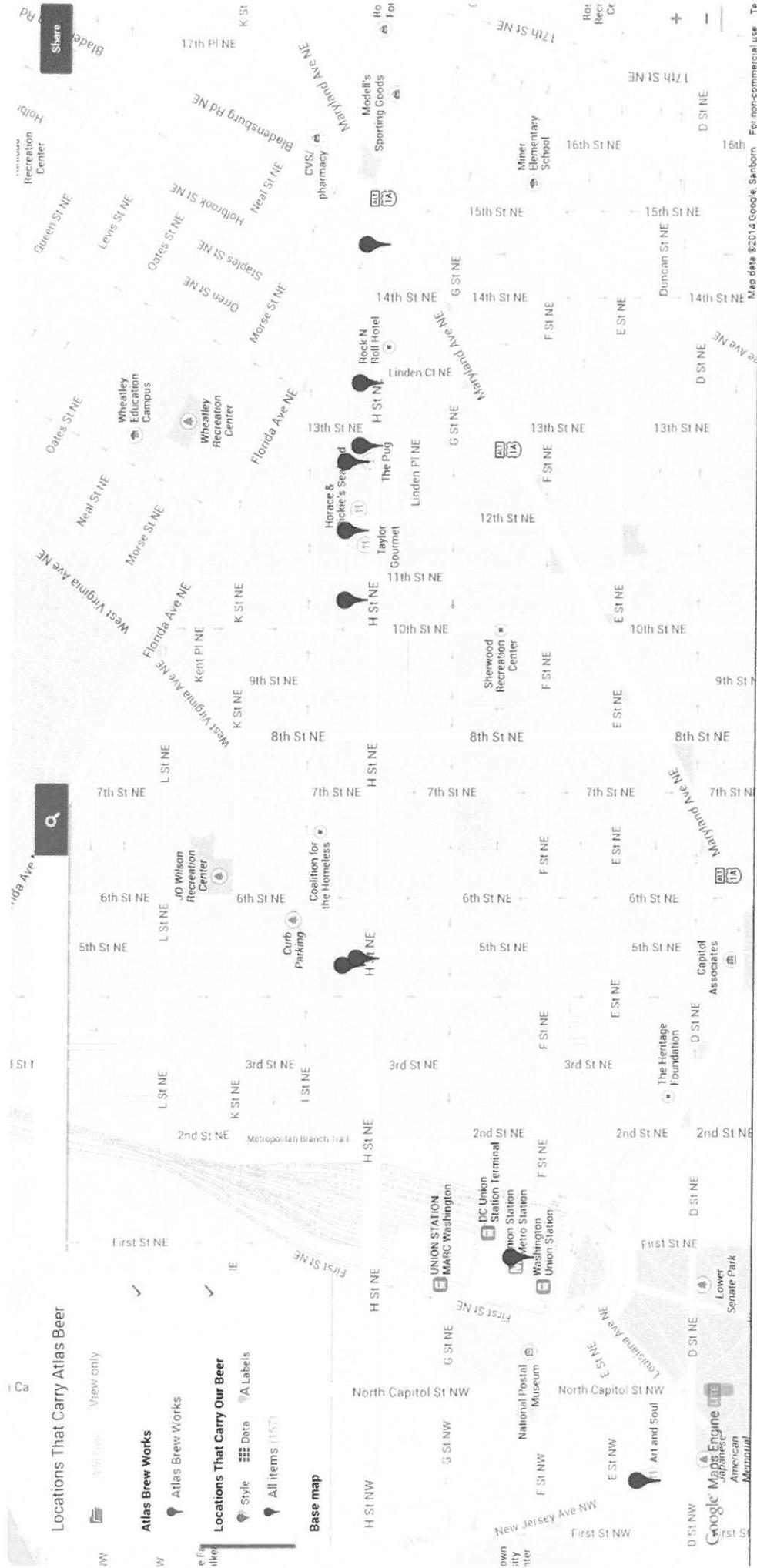
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EXHIBIT N



Locations That Carry Atlas Beer

Atlas Brew Works

Locations That Carry Our Beer

- Style
- Data
- Labels
- All items (157)

Base map

Map data ©2014 Google, Sanborn. For non-commercial use. To

Locations That Carry Atlas Beer

Aut View View only

Atlas Brew Works

Atlas Brew Works

Locations That Carry Our Beer

Style Data Labels
All items (157)

Base map

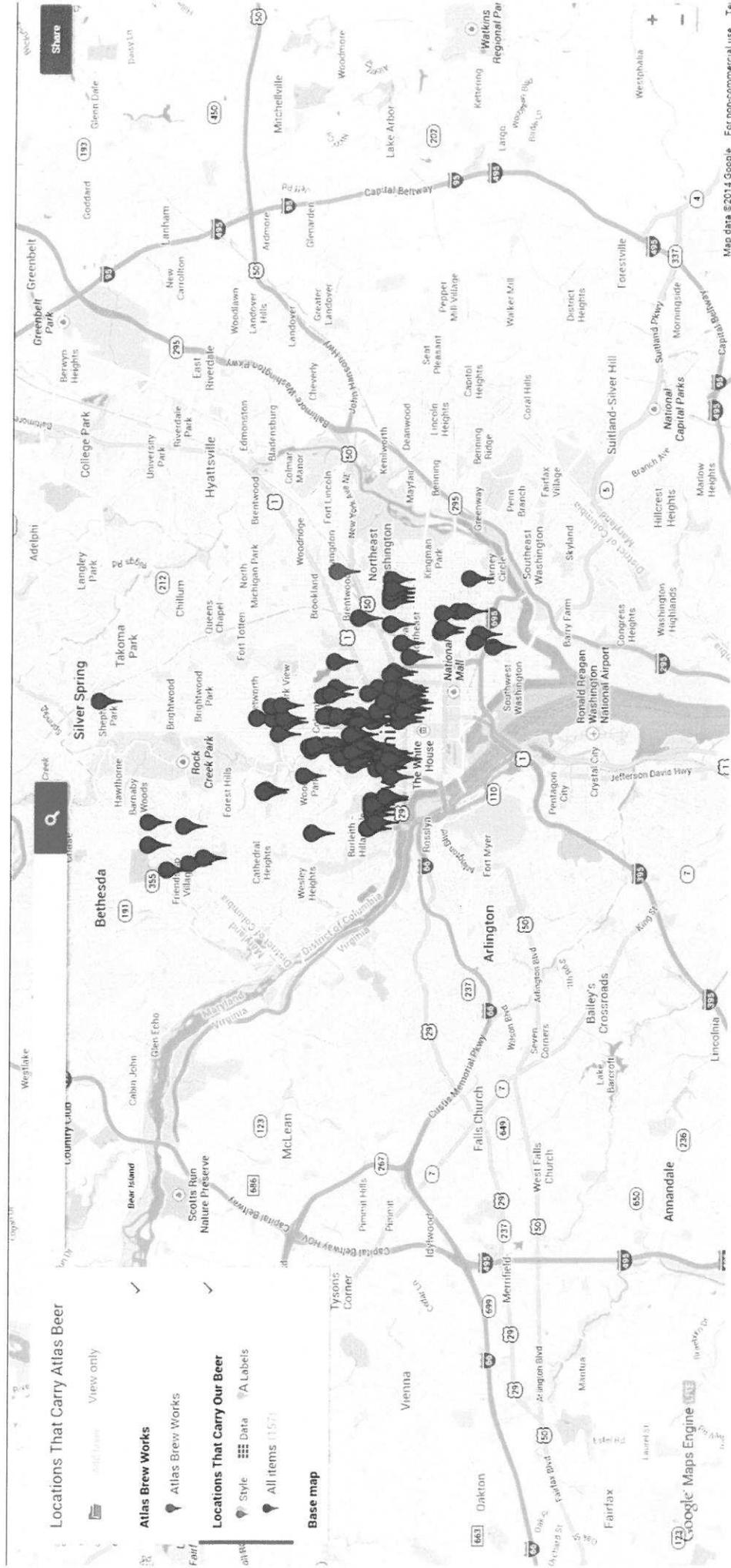
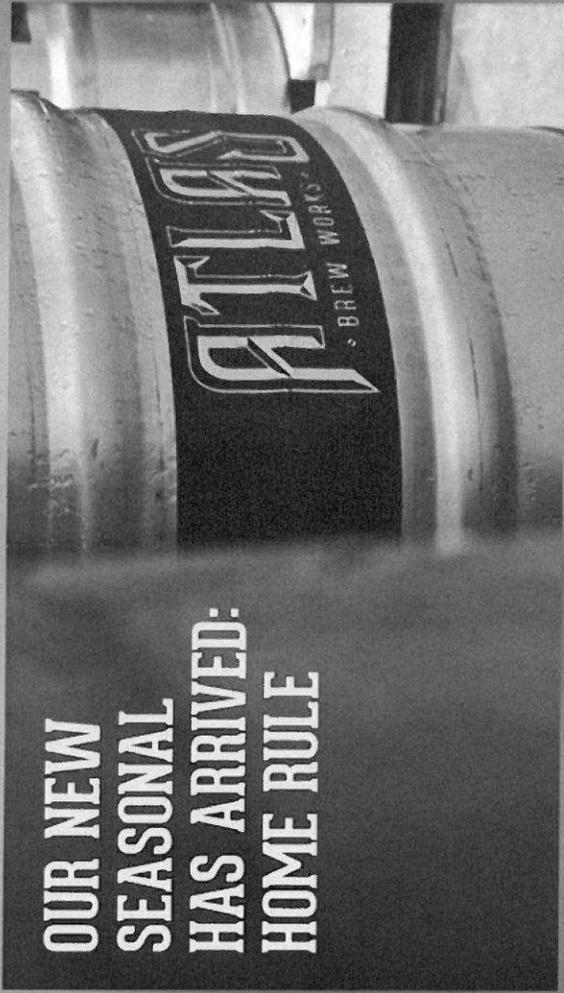


EXHIBIT O



PRESS RELEASE CONTACT US



**OUR NEW
SEASONAL
HAS ARRIVED:
HOME RULE**



BEST of DC
2014 READERS' POLL

ATLAS BREW WORKS
best local brewery

VOTE NOW!

WASHINGTON
CITYPAPER

UNTAPPD



ROWDY
Rye Beer

Both fun and aggressive, Rowdy is a hop forward rye ale full of flavor.

HOME RULE
India Pale Lager



ABOUT US

Big News! (please note this is not a prank)
atlasbrewworks |
Posted 1 day, 1 hour ago



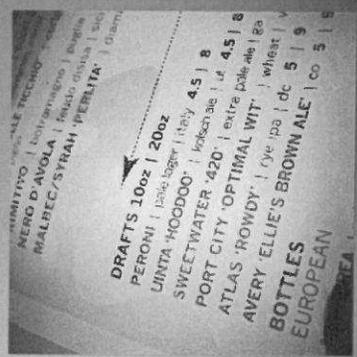
Atlas Brew Works Teams Up with
the Washington Nationals to offer
The 1500 South Cap Lager...

👍 0 🗨️ 0 📄 22
View Link

Time to VOTE!!! The Washington Post fixed their broken bracket and we need all of you to vote for us over DevilsBackbone Brewing Company's Vienna Lager. A vote for Atlas is a vote for DC! and America! #atlsbrews #craftbeer

The last beer standing from our 32-brew

GALLERY



A style-defying India Pale Lager made exclusively with Waimea hops from New Zealand.



DISTRICT COMMON
California Common

A quaffable California Common featuring biscuit malt and Czech Saaz hops.



NSFW
Imperial / Double Black IPA

A limited release Black Imperial IPA. It's dank and delicious. don't miss it!



LA SAISON DES
FÊTES
Saison / Farmhouse Ale

A warming winter Belgian ale straight from the farmhouse to your fireside.

[VIEW UNTAPPO](#)



to win the...
champ.

Posted 5 days, 22 hours ago



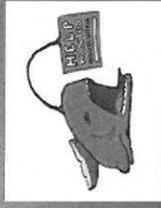
Beer Madness - The Washington Post



[View Link](#)

We're looking for someone with true grit.
atlasbrewworks |

Posted 1 week ago



Help Wanted - atlasbrewworks on scriptogr.am



[View Link](#)

Sweet Sixteen!!! We are happy to report that our own District Common has defeated its first round opponent: Union Craft Brewing's Ball All Up next is DevilsBackbone BrewingCompany's





THE LATEST NEWS

@dcsportsbog Perhaps it is time!

Posted a minute ago

@dcsportsbog Home Rule is our pale lager made w/ Waimea hops from New Zealand. That'll be in some of the District Draft carts coming up...

Posted 4 minutes ago

@dcsportsbog We'll have both: The 1500 and District Common in park for opening day!

Posted 13 minutes ago

@SAL OSeries Can't do it this Sunday but would love to in the future!

Posted 22 minutes ago

Hats off to @bbbrewing00 who beat us 5-4 in the second round of #beer madness. You guys better win it all, now!

Posted 4 hours ago

RT @Ksloss "If God drank beer he would drink the District Commons" -bartender at @TheBrixtonDC. Cc @AtlasBrewWorks that's some heavy boots to fill.

Posted 4 hours ago

Vienna Lager, winner of gold at the 2012 World Beer Cup and silver at the 2009 GABF. Can DC continue its run? Stay tuned...

The Post's seventh annual beer tourney, built on a March Madness-like basketball bracket, pits 32 regional brews in head-to-head matchups based on styles. A panel of Post readers and Washington food-beverage experts judged the rounds in two separate sessions. Check the Food section for weekly update...

Posted 1 week ago



Beer Madness - The Washington Post

0 0 0 0

View Link

Tonight at the Christian Heurich House Museum we will be pouring our brand new Home Rule, perfect for the first day of Spring. The weather will be great, so shake off winter's grip and come out for some great beers in a perfect setting!

The March installment of History & Hops features Atlas Brew Works, which opened in 2013 in the Ivy City neighborhood of Northeast DC. Atlas already provides fresh, local craft beers to thirsty

Washingtonians in the area.



VIEW MORE PHOTOS



LOCATIONS THAT CARRY ATLAS BEER



VIEW LOCATIONS

Love Ghibellina! @ Ghibellina
instagram.com/p/0q1vngf-e/

Posted 18 hours ago

Big news from Atlas! We're teaming up with the @Nationals on a beer exclusively for Nationals Park! #NATTITUDE #dcbrews scriptogr.am/atlasbrewworks

Posted a day ago

RT @brewenthusiast @AtlasBrewWorks Got Rowdy last night! Really, really Rowdy. Thanks for the good times.

Posted a day ago

RT @SoleilRestaurant Just tapped @ Dupont! @AtlasBrewWorks Home Rule, @DLCider Celebration, @GIBcimbC Tripel Dog Dare. goo.glrnev55H

Posted a day ago

Over the weekend our second round opponents pulled ahead of us! Help us out and vote in #beermadness! #dcbrews washingtonpost.com/beer-madness/

Posted 2 days ago

RT @broadbranchbeer On tap welcome back @AtlasBrewWorks rowdy, yel! Welcome @burleyoak Koisch (1st time on tap) @dcbrau tradition #dcbrews pic.twitter.com/1GMBfRkgR

Posted 2 days ago

restaurants across the District, and now guests will get a chance to sample t...

Posted 1 week 6 days ago



History & Hops featuring Atlas Brew Works



View Link

March Madness doesn't begin to describe all the activity going on at the brewery and in the DC beer community this month. Just when it all couldn't get any crazier, the Washington Post unveils their Beer Madness bracket! Vote for DC's own District Common over Union Craft Brewing Brewing's Ball! All and support truly local beer! Thank you! #craftbeer #dcbrews #beermadness

For the second year, it's an all-local lineup. And this time, readers get the chance to taste every contender.

Posted 2 weeks ago



is grilling up some corned veal tongue tonight: #seeninshaw
pic.twitter.com/E0B4IzKYb

Posted 3 days ago

VISIT TWITTER



View Link

VISIT FACEBOOK



ATLAS BREW WORKS



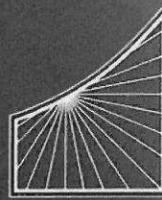
JUSTIN COX
Founder & CEO at Atlas
Brew Works

VISIT PROFILE



WILL DURGIN
Brewer at Atlas Brew Works

VISIT PROFILE



2052 WEST VIRGINIA AVENUE NE SUITE 102
WASHINGTON DISTRICT OF COLUMBIA 20002

2013 ATLAS BREW WORKS LLC, DISTRICT OF COLUMBIA

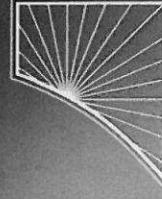


EXHIBIT P



AFFIDAVIT OF JUSTIN COX

COMES NOW Justin Cox, a resident of the District of Columbia and a citizen of the United States of America above the age 18 and states as follows:

My name is Justin Cox and I am a citizen of the United States of America and resident of the District of Columbia.

In the course and scope of my work I have become familiar with the goods which will be offered under the ATLAS mark, the manner by which these goods will be offered to the public, general information concerning our customers, as well as general information concerning the use of the mark ATLAS to identify our goods. I have also conducted research concerning the prior registered mark SKINNY ATLAS LIGHT as used by Berhard P. Molldrem as more fully identified in U.S. Registration Number 2,089,219 (Hereinafter referred to as "Molldrem mark") and the prior pending mark ATLAS & PLEIONE as used by AA Energies, Ltd. as more fully identified in U.S. Serial Number 85/590,021 (Hereinafter referred to as "AA Energies mark").

In this regard, I state the following based upon my own knowledge:

1. Our ATLAS mark will be used exclusively in connection with our brewery in the Washington, DC area. The mark will be used in association with the brewery itself; however, we will sell a variety of different beers under individual names.

2. Our beers will be marketed exclusively to beer connoisseurs in the Washington, DC area, between the ages of 21 and 40, with disposable income who are seeking local beers. It is a highly specialized industry in which there is no overlap in the trade and/or marketing channels utilized by the average consumer of wine, liquor, or local beers brewed in Syracuse, New York. In support thereof, I have attached evidence concerning like companies that specialize in local

breweries in the Washington, DC area, such as Capital City Brewing Company, DC Brau, and Old Dominion Brew House. *See Exhibits A - C.*

3. In contrast, the Molldrem mark is used in connection with a light beer created by The Empire Brewing Company in Syracuse, New York. The beer is named after the famous pristine lake, Skaneateles, from which the Empire Brewing Company draws its brewing water. The Molldrem mark is meant to be a play on words, as the pronunciation of Lake Skaneateles is very similar to "Skinny Atlas." Thus, most of Molldrem's patrons will make an instant association to the lake referenced therein. *See Exhibit D.*

4. Also in contrast, it can only be assumed that the AA Energies mark is used exclusively in association with wine and liquor. However, no evidence could be found that the mark is currently being used in commerce at all.

5. The trade channels of our goods bearing the ATLAS mark will be offered exclusively through our brewery location in Washington, DC and will be offered at wholesale to various local bars and restaurants in the Washington, DC area.

6. In contrast, it appears that the trade channels for the Molldrem mark are offered exclusively through the Empire Brewing Company in Syracuse, New York. *See Exhibit D.*

7. Also, in contrast it appears that the AA Energies mark does not currently have any trade channels. The owner of the mark, AA Energies, is listed as a provider of oilfield equipment and does not mention liquor, wine, or alcoholic beverages of any kind on their website. *See Exhibit E.*

8. Accordingly, there is simply no overlap in the channels of trade between the goods which will be provided under our ATLAS mark and the goods provided under the Molldrem mark or AA Energies mark.

9. To sell our goods bearing the ATLAS mark we will market through word of mouth referrals, social media, promotional materials distributed to local bars and restaurants, promotional events hosted at our brewery, participating in festivals and events, and through our website hosted at www.atlasbrewworks.com.

10. The Molldrem mark does appear to maintain an active website but does not appear to market its goods and services through promotional materials distributed to Washington, DC bars and restaurants, promotional events, or by participating in local festivals or events.

11. The AA Energies mark also appears to maintain an active website but the mark referenced herein is not mentioned anywhere on that website. The AA Energies website appears to only be used in association with oilfield equipment and does not mention alcoholic beverages of any kind. See Exhibit E. Additionally, the AA Energies mark does not advertise through social media, promotional materials distributed to local bars and restaurants, promotional events, or participating in festivals and events. AA Energies does not appear to be marketing its goods at all.

12. In my experience with our business our clients will exercise a very high level of sophistication in choosing the goods offered under the ATLAS mark. After all, they will be choosing goods which are designed to attract a very specific group of individuals, namely, beer connoisseurs in the Washington, DC area, between the ages of 21 and 40, with disposable income who are seeking local beers.

13. We will offer growlers of beer at our brewery for approximately \$10 and will sell our beers to local restaurants and bars for approximately \$6 per pint. In contrast, Molldrem's mark is used to attract individuals in Syracuse, New York who are seeking beers brewed in that area. It can only be assumed that Molldrem's goods cost approximately \$5 to \$8 per pint, based on

similar goods, as no price lists could be found. Also in contrast, it can only be assumed that the AA Energies mark would be used to attract individuals seeking wine and liquor. However, no evidence could be found that any goods are being sold under the AA Energies mark at all.

14. In both my personal life as well as in my understanding of wines, liquors, and beers brewed in Syracuse, New York, I do not believe that there is any potential for a likelihood of confusion between our ATLAS mark and the blocking marks. This assertion is strengthened further by the fact that Molldrem is using their mark in association with one, individual beer, while we are using our ATLAS mark as a brand identifier for our brewery and will sell our beers under a variety of different names. Additionally, Molldrem uses their mark in reference to a lake in Syracuse, New York We, while we use the term ATLAS in reference to the titan, Atlas. Thus, the commercial impressions are very distinct from one another.

BEFORE ME, the undersigned authority, this 2nd day of October 2012, personally appeared Justin Cox, who after being first duly sworn, states that the above information is true and correct, and who is personally known to me or who has produced DC - DL as identification and who did take an oath.


Justin Cox

10/2/12
Date

Notary Public: Joyce A. Fleming (signature)

Notary Public: Joyce A. Fleming (Typed/Printed name of Notary Public)

Commission No. _____

My Commission Expires:

JOYCE A FLEMING
District of Columbia
05/14/2014

ATLAS0000408

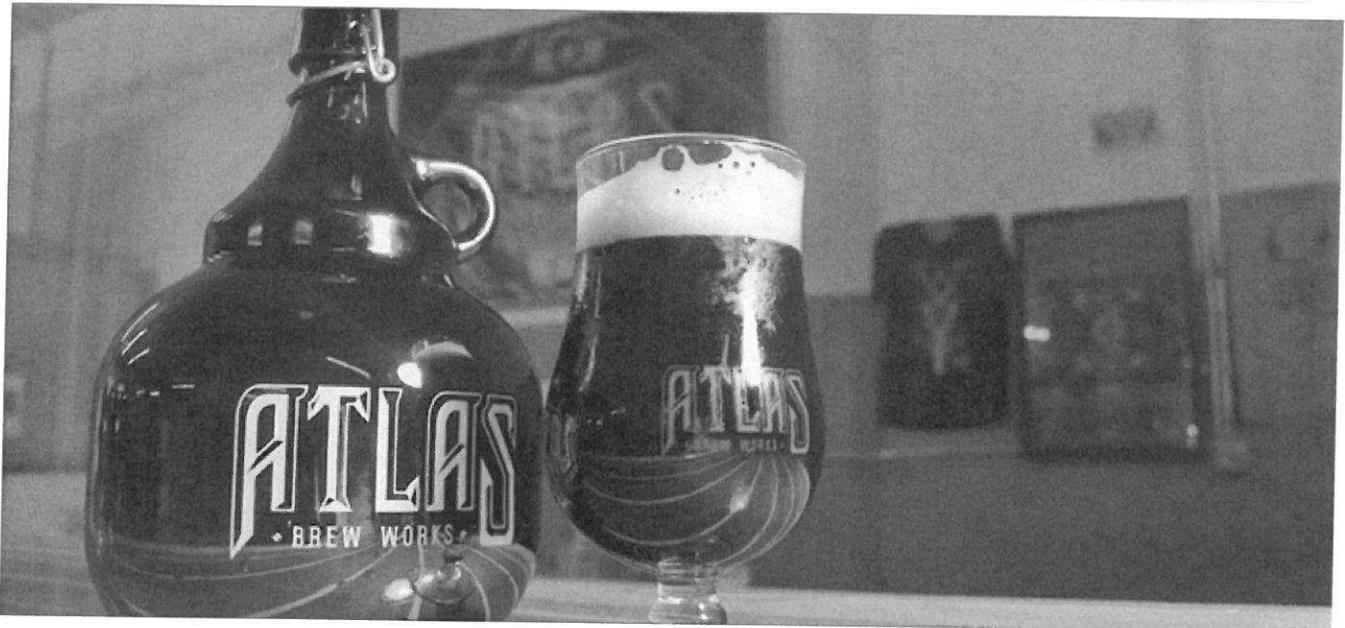
EXHIBIT Q

MENU

where®

LOGIN

SIGN UP



An Atlas Brew Works growler (Courtesy Atlas Brew Works)

Beer Buzz: D.C.'s Craft Brewery Scene

By Brooke Sabin, Kelsey Snell, | 12/17/13



After the Heurich Brewery closed in 1956, more than 50 years passed before D.C. claimed another “production” facility

SHARE

ADD TO PLAN

(one distributing beyond its site). But now vats bubble up all over town with inventive beer meisters tapping local history and music for inspiration. Even the White House concocts its own brew with honey from the South Lawn’s beehives. So cork the champagne, and toast the new year with craft beer!

DC Brau

The story: With its April 2011 opening, **DC Brau** became the city's first production brewery since the Heurich. Its founders Brandon Skall and Jeff Hancock met as DJs spinning at local clubs.

The place: Quirky murals like Pixel Pancho's "Robot Reindeer" brighten the venue in northeast D.C. On Saturdays (noon to 4 pm), DC Brau offers free tours and tastings plus glassware and growlers for sale.

The brew: The distinctive cans, which display a diamond pattern inspired by D.C.'s original shape, hold a variety of ales—Belgian-style, India pale and one dubbed "The Public," a hops-heavy local favorite. Skall and Hancock also develop recipes in collaboration with bands and other breweries like Bluejacket. In summer 2013, they worked with Heurich House Museum to recreate a pre-Prohibition beer.

Get there: 3178-B Bladensburg Rd. NE, Washington, D.C.





DC Brau makes a variety of brews including local favorite The Public pale ale. (Courtesy DC Brau)

Atlas Brew Works

The story: A self-proclaimed “beer dork” since college, Justin Cox elevated his home brewing in October 2013 when he opened **Atlas** with friend (and expert West Coast brewer) Will Durgin.

The place: The brewery name comes from its northeast zone, deemed the “Atlas District” after anchoring art deco Atlas Theater on H Street. The depot (once a newspaper distribution center) holds up to 2,300 barrels—that’s 4,600 kegs. Tours and tastings happen Saturdays from 1 to 4 pm.

The brew: Try the citrus-and-spice Rowdy rye ale flagship or La Saison Des Fêtes, the malty winter seasonal. Connoisseurs await the springtime debut of a “secret beer” currently aging in oak barrels from Middleburg, Virginia’s Boxwood Winery.

Get there: 2052 West Virginia Ave. NE, Ste. 102, Washington, D.C.



Atlas Brew Works beers (Courtesy Atlas Brew Works)

Port City

The story: Vintner Bill Butcher traded grapes for grain and opened **Port City** in January 2011. The first brewery in Alexandria since Prohibition takes its name from the city's role as a colonial seaport and takes its logo from a view of the 1855 Jones Point Lighthouse.

The place: A former lighting-supply warehouse holds the immaculate brewing operation where Wednesday through Sunday tour leaders invite the curious to taste wheat, sniff hops and admire the "hopzooka," a contraption that allows brewers to add bitter flavoring without introducing air. A tasting room offers samples of each brew (\$9 with tour) plus T-shirts, glasses and growlers to go.

The brew: Consider trying one of Port City's five standards like the crisp, unfiltered Optimal Wit, which claimed a gold medal at the 2013 World Beer Championships, or the limited edition Revival Stout, given a subtle briny flavor with the addition of local oysters during the brewing process.

Get there: 3950 Wheeler Ave., Alexandria, Va.



Port City's Bill Butcher leading a tour (Courtesy Port City)

3 Stars

The story: After getting their start in 2007 with home brews (and admittedly mixed results), longtime pals Dave Coleman and Mike McGarvey devoted themselves to research and in August 2012 opened **3 Stars**, named for the D.C. flag.

The place: In a brick warehouse near the Maryland border, the duo (sporting matching beards) offers tastings and growler fills Thursdays from 5 to 8 pm and Saturdays from 1 to 5 pm. Free tours take place Saturdays at 2 and 3 pm. With a nod to their early days, they offer a home brew shop with beer-making ingredients and equipment.

The brew: Bold flavors reign here. Think caramel, coffee and chocolate (the Pandemic porter) or toasted pecans (the Southern Belle imperial brown ale). Cask versions of the brews earn complexity with aging and ingredients like vanilla bean and lemon peel.

Get there: 6400 Chillum Pl. NW, Washington, D.C.

Chocolate City

The story: Cofounder Jay Irizarry originally created **Chocolate City's** spring-summer 1814 ESB (extra-strong bitter) for a home brewing competition. Now joined by suds-savvy Noah Cowles, the locally focused team of brewers delivers kegs in person to restaurants and bars District-wide. (Look for the red fist tap handle!)

The place: Just south of Catholic University, the nanobrewery occupies a former stone-cutting studio that may have supplied materials for the nearby shrine. Saturdays from 12:30 to 4:30 p.m., patrons come to Chocolate City to buy growlers (\$16) or fill their own (\$10).

The brew: Locals know these brews by their patriotic monikers like the Cerveza Nacional de la Capital, a dark black lager, and the upcoming release named 8th & I Rye for the address of the Marine barracks and Cowles's service in the Corps.

Get there: 2801 18th St. NE, Washington, D.C.

Bluejacket

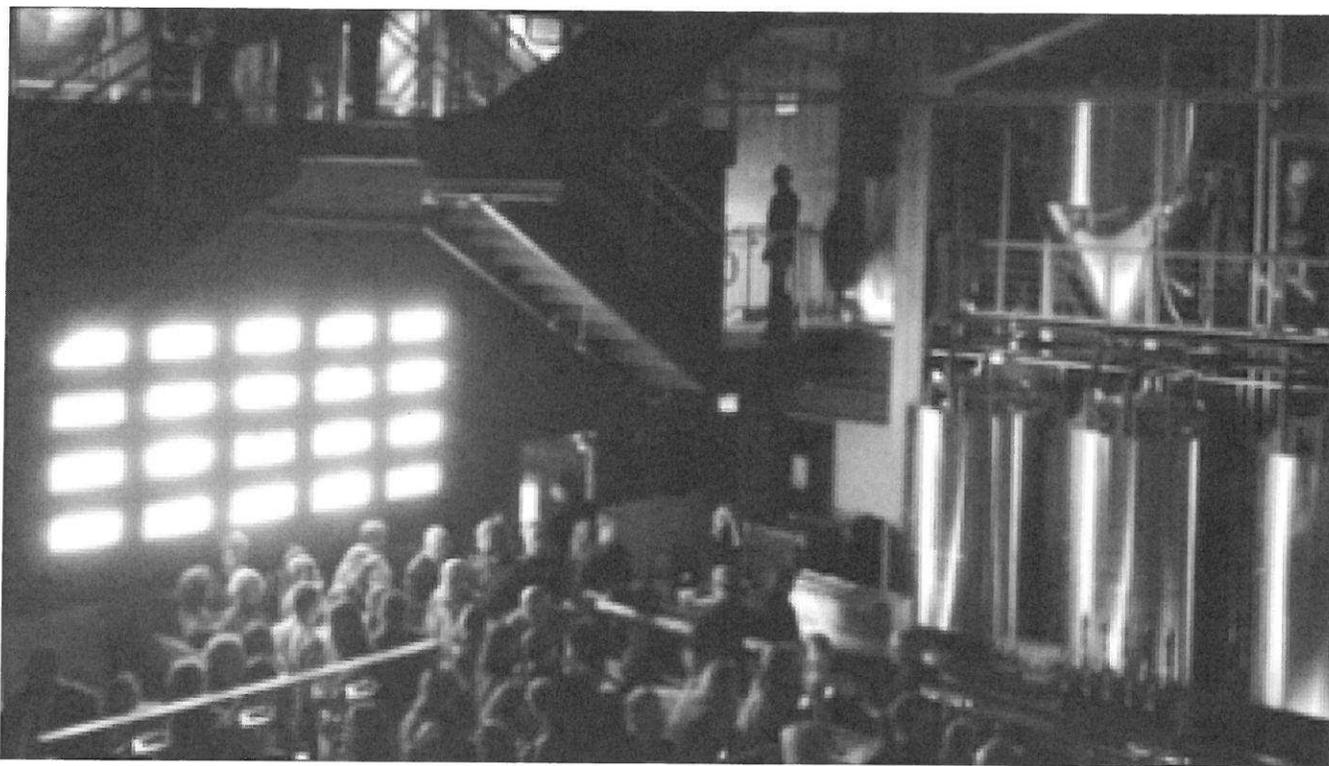
The story: Brewmaster Megan Parisi, a pioneer woman in a man-heavy craft, runs **Bluejacket** operations alongside Greg Engert, beer director and renowned hops king. The pair embraces Old World brewing traditions, even as they experiment with ingredients from avocado honey and figs to fresh air.

The place: Bluejacket's behemoth, three-tier, 5,600-square-foot brew space, once a U.S. Navy boilermaker factory, houses sour and non-sour barrel rooms plus a variety of fermenting tanks including the "coolship" for extra-funky styles.

The brew: Of the 20-plus original beers, standouts include James & The Giant, a Belgian strong ale brewed with Pennsylvania peaches, and the tart brown Trouble with notes of dark fruit and pumpernickel.

Get there: 300 Tingey St. SE, Washington D.C.

Brooke Sabin also contributed to this story.



Inside the behemoth Bluejacket and its Arsenal restaurant (©Brooke Sabin)

NEW TO WHERE? SIGN UP

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1. Port City Brewing Company

2. Capitol City Brewing Company

3. ChurchKey

Hotel

Destination:

Destination

Adults:

1

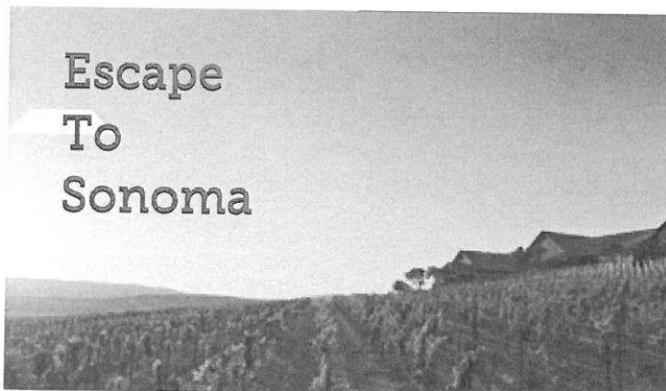
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EXHIBIT R

only for the first case of gin to share with his family. On a fine October day, we gathered at the distillery for a bottling party, filling the bottles with the "gin cow" bottle filler and affixing the labels on them. And Fred took his case home.

Atlas Brew Works
2052 West Virginia Avenue, NE

Just a block from New Columbia Distillers in Ivy City is Atlas Brew Works, which opened in September 2013 as the city's fourth production brewery. It stands directly across the street from Mount Olivet Cemetery, where a number of historic brewers are buried. Like the older modern breweries, it occupies a former industrial space.

Justin Cox is the CEO and runs the business side of the house, while co-owner Will Durgin is the brewer. Justin, who went to law school like so many Washingtonians, became an avid home brewer after his girlfriend (and now wife) bought him a home brewing kit.

Named after the nearby Atlas District, Atlas Brew Works can produce 2,500 barrels per year and has room to expand to 13,000 barrels. On the floor are wine barrels for making sour beer. "Belgian beers are my passion and my specialty," said brewer Will Durgin. He worked for brewers in California and Oregon and attended the brewing school at UC Davis. "My brewing philosophy is restrained. I appreciate a simple, modest beer." Flagship beers include the District Common (a California common, which is an ale brewed with lager yeast) and Rowdy (a rye ale). The other beers in the lineup are rotating seasonals.

EXHIBIT S

Atlas District

Coordinates: 38°54′0.8″N 76°59′15.7″W﻿ / ﻿38.900222°N 76.987722°W﻿ / 38.900222; -76.987722

From Wikipedia, the free encyclopedia

The **Atlas District** (also known as the **Atlas** or the **H Street District**) is an arts and entertainment district located in the Near Northeast neighborhood of Washington, DC. It runs along the resurgent H Street Corridor from the outskirts of Union Station to the crossroads with Fifteenth Street, Bladensburg Road, and Florida Avenue. The name is not historical. It is part of a neighborhood branding campaign built around the revitalized Atlas Theater.

The area suffered economic setbacks after the riots following Martin Luther King, Jr.'s 1968 assassination. The neighborhood began a resurgence after Joe Englert announced plans in the late nineties to transform this three block area with various bars and music venues. Examples of bars that he opened were: the Pug; the Red and Black; the Rock N Roll Hotel; the Bee Hive; the Olympic, a sports bar with pool tables; Dr. Granville Moore's Brickyard; and the Showbar.^[1] Additionally, the area has benefited from the economic resurgence that has affected most of the district since the turn of the 21st century.

The area is served by the X2 Metrobus. The city is building a streetcar system running up H Street from Union Station to Benning Road that would pass through the Atlas district; the streetcar is expected to open in late 2013.^[2]

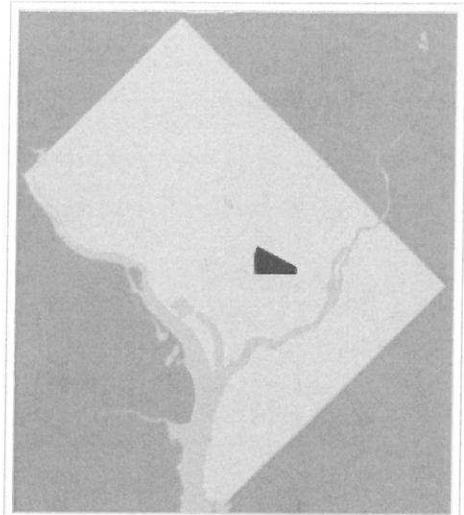
The Atlas Theater, the district's namesake, was originally built in 1938. It was converted into the Atlas Performing Arts Center in 2001. The marquee and external appearance of the original movie theater were preserved, but the insides were completely replaced. The building now houses rehearsal and performance space for local performing arts groups, including the Capital City Symphony.

References

- ↑ Plans to Set The Bar High On H Street NE (<http://www.washingtonpost.com/wp-dyn/content/article/2005/08/25/AR2005082500654.html>)
- ↑ Benning Road/H Street Great Streets Project - Releases - District Department of Transportation (<http://newsroom.dc.gov/show.aspx/agency/ddot/section/2/release/12542>)

External links

- AtlasDistrict.com (<http://www.AtlasDistrict.com>)



A map of Washington, D.C., with the Atlas District highlighted in maroon.



Atlas Performing Arts Center on H Street, NE

- AtlasArts.org (<http://atlasarts.org>)
- CapitalCitySymphony.org (<http://www.capitalcitysymphony.org>)

Retrieved from "http://en.wikipedia.org/w/index.php?title=Atlas_District&oldid=568376654"

Categories: Entertainment districts in the United States | Neighborhoods in Washington, D.C.

| Washington, D.C. geography stubs

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