

ESTTA Tracking number: **ESTTA603701**

Filing date: **05/12/2014**

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

**Notice of Opposition**

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

**Opposer Information**

Name	Mast-Jaegermeister SE
Granted to Date of previous extension	05/11/2014
Address	Jaegermeisterstrasse 7-15 38296 Wolfenbuettel, GERMANY

Domestic Representative	Katrin Lewertoff Arent Fox LLP 1675 Broadway New York, NY 10019 UNITED STATES katrin.lewertoff@arentfox.com, nyipdocket@arentfox.com Phone:212 484 3900
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**Applicant Information**

Application No	85942005	Publication date	11/12/2013
Opposition Filing Date	05/12/2014	Opposition Period Ends	05/11/2014
Applicant	Team Jager of Sarasota Inc. 1100 North Tuttle Avenue Sarasota, FL 34237 UNITED STATES		

**Goods/Services Affected by Opposition**

<p>Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Arranging and conducting special events for social entertainment purposes; Arranging for ticket reservations for shows and other entertainment events; Arranging, organizing, conducting, and hosting social entertainment events; Conducting and providing facilities for special events featuring casino and gaming contests and tournaments; Conducting entertainment exhibitions in the nature of beer and food festivals; Dance events; Disc jockeys for parties and special events; Entertainment in the nature of live bands; Entertainment services, namely, body painting services held at special events; Entertainment services, namely, participation in corn hole, darts, and billiard games; Hosting social entertainment events, namely, karaoke, birthday parties, award dinners, club meetings, beer festivals, for others; Organizing community sporting and cultural events; Providing a website through which people locate information about tournaments, events, and competitions in the video game field; Providing a website for persons to register for surprise events and classes for the purpose of entertainment; Providing an Internet news portal featuring links to news stories and articles in the field of current events; Rental of indoor recreational facilities for playing sports, sports training, and group recreation events</p>
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**Grounds for Opposition**

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

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4267257	Application Date	03/05/2012
Registration Date	01/01/2013	Foreign Priority Date	NONE
Word Mark	JAGER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 0 First Use In Commerce: 0 Bitter liqueurs, semi-bitter liqueurs and herbal liqueurs		

U.S. Registration No.	3008995	Application Date	03/16/2004
Registration Date	10/25/2005	Foreign Priority Date	NONE
Word Mark	JÄ#GER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 0 First Use In Commerce: 0 Bitter liqueurs, semi-bitter liqueurs and herbal liqueurs		

U.S. Registration No.	3465834	Application Date	06/14/2007
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Registration Date	07/15/2008	Foreign Priority Date	NONE
Word Mark	JÄ#GER BOMB		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 006. First use: First Use: 2007/04/30 First Use In Commerce: 2007/04/30 Non-luminous, non-mechanical tin signs</p> <p>Class 009. First use: First Use: 2007/04/30 First Use In Commerce: 2007/04/30 Magnets, cold box clings being akin to refrigerator magnets</p> <p>Class 016. First use: First Use: 2007/02/23 First Use In Commerce: 2007/02/23 cardboard, photographs, stickers</p> <p>Class 019. First use: First Use: 2007/04/30 First Use In Commerce: 2007/04/30 Non-luminous, non-mechanical signs not of metal, namely, acrylic price signs, acrylic bar signs</p> <p>Class 021. First use: First Use: 2007/04/30 First Use In Commerce: 2007/04/30 plastic cups</p> <p>Class 024. First use: First Use: 2007/04/30 First Use In Commerce: 2007/04/30 Banners of cloth</p>		

U.S. Registration No.	4082197	Application Date	11/05/2010
Registration Date	01/10/2012	Foreign Priority Date	NONE
Word Mark	JÄ#GER BOMB		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 033. First use: First Use: 0 First Use In Commerce: 0 Liqueurs, namely, herbal liqueurs; alcoholic mixed beverages except beers; spir-its</p>		

U.S. Registration No.	3940228	Application Date	06/08/2010
Registration Date	04/05/2011	Foreign Priority Date	05/03/2010
Word Mark	JÄ#GER BARREL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 006. First use: First Use: 0 First Use In Commerce: 0 Non-luminous, non-mechanical tin signs Class 009. First use: First Use: 0 First Use In Commerce: 0 Decorative magnets Class 016. First use: First Use: 0 First Use In Commerce: 0 Posters, stickers Class 024. First use: First Use: 0 First Use In Commerce: 0 Banners of Cloth Class 033. First use: First Use: 0 First Use In Commerce: 0 Liqueurs, namely, herbal liqueurs, spirits		

U.S. Registration No.	1946191	Application Date	07/23/1993
Registration Date	01/09/1996	Foreign Priority Date	NONE
Word Mark	JAGER DUDES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1990/08/00 First Use In Commerce: 1990/08/00 promoting the sale of the goods and services of others, namely alcoholic beverages, through personal appearances by models		

U.S. Registration No.	1946190	Application Date	07/23/1993
Registration Date	01/09/1996	Foreign Priority Date	NONE
Word Mark	JAGERETTES		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 035. First use: First Use: 1988/03/00 First Use In Commerce: 1988/03/00 promoting the sale of the goods and services of others, namely alcoholic beverages, through personal appearances by models		
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U.S. Registration No.	3940336	Application Date	07/15/2010
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Registration Date	04/05/2011	Foreign Priority Date	06/22/2010
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Word Mark	JÄ#GERMEISTER RACING		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 016. First use: First Use: 0 First Use In Commerce: 0 Posters, stickers Class 024. First use: First Use: 0 First Use In Commerce: 0 Hand towels of textile, banners of cloth Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing, namely, t-shirts, headgear, namely, caps Class 033. First use: First Use: 0 First Use In Commerce: 0 Liqueurs, namely, herbal liqueurs, distilled spirits Class 041. First use: First Use: 0 First Use In Commerce: 0 Entertainment in the nature of automobile races		
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U.S. Registration No.	4507949	Application Date	05/10/2013
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Registration Date	04/01/2014	Foreign Priority Date	NONE
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Word Mark	JÄ#GERMEISTER SPICE		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 033. First use: First Use: 2013/07/10 First Use In Commerce: 2013/07/10 Bitter liqueurs, semi-bitter liqueurs and herbal liqueurs; spirits		
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U.S. Registration No.	857604	Application Date	05/16/1967
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Registration Date	09/24/1968	Foreign Priority Date	NONE
Word Mark	JAGERMEISTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 0 First Use In Commerce: 0 LIQUEURS, SPECIFICALLY HERBALIC LIQUEURS		

U.S. Registration No.	3076932	Application Date	01/25/2005
Registration Date	04/04/2006	Foreign Priority Date	NONE
Word Mark	JÄ#GERMEISTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 0 First Use In Commerce: 0 Umbrellas, parasols Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing, namely, shirts, shorts, pants, jackets, [ suits, ] underwear, socks and [ pajamas, lingerie, ] sweatshirts, [sweatpants, ] headwear, namely, hats and caps, footwear Class 032. First use: First Use: 0 First Use In Commerce: 0 [ Non-alcoholic beverages, namely, mineral and aerated waters, soft drinks, fruit drinks, fruit flavored drinks, energydrinks, sports drinks and isotonic drinks ] Class 033. First use: First Use: 0 First Use In Commerce: 0 [ Wines, sparkling wines, fruit wines, sparkling fruit wines, distilled spirits, ] herb- al liqueurs		

U.S. Registration No.	861094	Application Date	05/16/1967
Registration Date	11/26/1968	Foreign Priority Date	NONE
Word Mark	JAGERMEISTER		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 033. First use: First Use: 0 First Use In Commerce: 0 LIQUEURS, SPECIFICALLY HERBALIC LIQUEURS

U.S. Registration No.	1952558	Application Date	08/18/1994
Registration Date	01/30/1996	Foreign Priority Date	NONE
Word Mark	JAGERMEISTER AUSZUG EDELSTER KRAUTER KRAUTER LIQUEUR MAST JAGERMEISTER AG WOLFENBUTTEL, WESTERN GERMANY GE- GRUNDET IM JAHRE 1878 DAS IST DES JAGERS EHRENSCHILD, DASS ER BESCHUTZT UND HEGT SEIN WILD, WEIDMANNISCH JAGT, WIE SICH'S GEHORT, DEN SCHOPFER IM GESCHOPFE EHRT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1935/05/17 First Use In Commerce: 1973/00/00 herbalic liqueurs		

U.S. Registration No.	2165258	Application Date	11/13/1996
Registration Date	06/16/1998	Foreign Priority Date	NONE
Word Mark	JAGERMEISTER KRAUTER-LIQUEUR IMPORTED AUSZUG EDELSTER KRAUTER CAMEL COLOR ADDED ONE LITER 35% ALC. BY VOL. (70 PROOF) PRODUCED AND BOTTLED BY AG WOLFENBUTTEL WESTERN GERMANY GEGRUNDET IM JAHRE 1878 SERVE COLD KEEP ON ICE		

Design Mark			
Description of Mark	The mark consists of the configuration of the bottle container for the goods, having indented sides with the name "JAGERMEISTER" embossed thereon; and the label affixed to said bottle container, and the wording and deer and cross design appearing on said label.		
Goods/Services	Class 033. First use: First Use: 1935/05/27 First Use In Commerce: 1960/00/00 distilled spirits		

U.S. Registration No.	2970791	Application Date	01/26/2004
Registration Date	07/19/2005	Foreign Priority Date	NONE
Word Mark	JÄ#GERMEISTER		
Design Mark			
Description of Mark	The mark consists of the configuration of the bottle container for the goods, having indented sides with the name "JAGERMEISTER" embossed on the sides of the bottle thereon.		
Goods/Services	Class 033. First use: First Use: 0 First Use In Commerce: 0 Alcoholic spirits, namely, [ distilled spirits, alcoholic bitters and ] herbal liqueurs		

U.S. Registration No.	2989455	Application Date	06/18/2004
Registration Date	08/30/2005	Foreign Priority Date	NONE
Word Mark	JAGERMEISTER		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 033. First use: First Use: 2003/10/10 First Use In Commerce: 2003/10/10 liqueurs

U.S. Registration No.	3051959	Application Date	03/01/2001
Registration Date	01/31/2006	Foreign Priority Date	NONE

Word Mark	JAGERMEISTER AUSZUG EDELSTER KRAEUTER KRAEUTER LIQUEUR CAMEL COLOR ADDED 1,75LITER 35% ALC. BY VOL. (70 PROOF) PRODUCED AND BOTTLED BY MAST-JAEGERMEISTER AG WOLFENBUETTEL, WESTERN GERMANY GEGRUENDET IM JAHRE 1878 DAS IST DES JAEGER'S EHRENSCHILD, DASS ER BESCHUETZT UND HEGT SEIN WILD, WEIDMAENNISCH JAGT, WIE SICH'S GEHOERT, DEN SCHOEPFER IM GESCHOEPFE EHRT IMPORTED SERVE COLD KEEP ON ICE
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Design Mark	
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Description of Mark	The mark consists of a design of a bottle label which contains the name JAGERMEISTER with an umlaut over the letter A and with a portrait of a stag and symbol of a cross as applied to a container for an alcoholic beverage. In the center of the label, under the term JAEGERMEISTER, the following wording appears: AUSZUGEDELSTER KRAEUTER, followed by KRAEUTERLIQUEUR and CAMEL COLOR ADDED 1,75 LITER 35% ALC. BY VOL. (70 PROOF) PRODUCED AND BOTTLED BY MAST- JAEGERMEISTER AG, WOLFENBUETTEL, WESTERN GERMANY. Across the bottom of the rectangular border of the label is the wording GEGRUENDET IM JAHRE 1878, and the wording around the rectangular border is DAS IST DES JAEGER'S EHRENSCHILD, DASS ER BESCHUETZT UND HEGT SEIN WILD, WEIDMAENNISCH JAGT, WIE SICH'S GEHOERT, DEN SCHOEPFER IM GESCHOEPFE EHRT. The mark also consists of the configuration of the bottle container for the goods, with the container having indented sides with the name "JAGERMEISTER" embossed on the sides of the bottle thereon.
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Goods/Services	Class 033. First use: First Use: 2001/01/05 First Use In Commerce: 2001/01/05 Liqueurs, specifically herbalic liqueurs
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Attachments	85560465#TMSN.jpeg( bytes ) 79001883#TMSN.jpeg( bytes ) 77206302#TMSN.jpeg( bytes ) 85170336#TMSN.jpeg( bytes ) 85057580#TMSN.jpeg( bytes ) 85085788#TMSN.jpeg( bytes ) 85929085#TMSN.jpeg( bytes ) 72271632#TMSN.gif( bytes ) 79009139#TMSN.jpeg( bytes ) 72271633#TMSN.gif( bytes ) 74562742#TMSN.gif( bytes ) 75197319#TMSN.gif( bytes ) 79000949#TMSN.jpeg( bytes ) 78437518#TMSN.jpeg( bytes ) 76218397#TMSN.gif( bytes ) 029832.87 notice of opp JAGERFEST.pdf(1850099 bytes )
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### Certificate of Service

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

Signature	/KL/
Name	Katrin Lewertoff
Date	05/12/2014

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

**IN THE MATTER OF APPLICATION**

Applicant: Team Jager of Sarasota Inc.  
Serial No.: 85/942005  
Mark: JAGERFEST  
Published in the  
*Official Gazette*: November 12, 2013

MAST-JAEGERMEISTER SE,

Opposer,

v.

TEAM JAGER OF SARASOTA INC.,

Applicant.

Opposition No.

**NOTICE OF OPPOSITION**

Mast-Jaegermeister SE (“Opposer”), a corporation duly organized and existing under the laws of the European Union, and having its principal place of business at Jaegermeisterstrasse 7-15, 38296 Wolfenbuettel, Germany, believes it will be damaged by the registration of the mark JAGERFEST as shown in Application Serial No. 85/942005, filed on May 24, 2013, in International Class 41 for “Arranging and conducting special events for social entertainment purposes; Arranging for ticket reservations for shows and other entertainment events; Arranging, organizing, conducting, and hosting social entertainment events; Conducting and providing facilities for special events featuring casino and gaming contests and tournaments; Conducting entertainment exhibitions in the nature of beer and food festivals; Dance events; Disc jockeys for parties and special events; Entertainment in the nature of live bands; Entertainment services,

namely, body painting services held at special events; Entertainment services, namely, participation in corn hole, darts, and billiard games; Hosting social entertainment events, namely, karaoke, birthday parties, award dinners, club meetings, beer festivals, for others; Organizing community sporting and cultural events; Providing a web site through which people locate information about tournaments, events, and competitions in the video game field; Providing a website for persons to register for surprise events and classes for the purpose of entertainment; Providing an Internet news portal featuring links to news stories and articles in the field of current events; Rental of indoor recreational facilities for playing sports, sports training, and group recreation events ” and published in the *Official Gazette* on November 12, 2013 and hereby opposes the same.

The grounds for opposition are as follows:

1. Opposer owns all right title and interest to the trademarks and trade names JAGER, JÄGER, JÄGER BOMB, JÄGER BARREL, JAGER DUDES, JAGERETTES, JÄGERMEISTER RACING, JÄGERMEISTER SPICE, JÄGERMEISTER and JÄGERMEISTER & Design (“JÄGER Marks”), which have been used for a variety of goods and services including but not limited to herbal liqueur.
2. Since long prior to May 24, 2013, or any other priority date that Applicant may claim, Opposer has continuously used its JÄGER Marks in commerce.
3. Opposer has established exclusive rights in the marks JAGER, JÄGER, JÄGER BOMB, JÄGER BARREL, JAGER DUDES, JAGERETTES, JÄGERMEISTER RACIN, JÄGERMEISTER SPICE, JÄGERMEISTER, and JÄGERMEISTER & Design through use in commerce in the United States.

4. In addition, Opposer owns the following valid trademark registrations JAGER, JÄGER, JÄGER BOMB, JÄGER BARREL, JAGER DUDES, JAGERETTES, JÄGERMEISTER RACIN, JÄGERMEISTER SPICE, JÄGERMEISTER, and JÄGERMEISTER & Design, issued by the United States Patent and Trademark Office (“USPTO”):

(a) U.S. Registration No. 4267257 duly and legally issued on January 1, 2013 on the Principal Register of the Patent and Trademark Office for the mark JAGER as applied to “bitter liqueurs, semi-bitter liqueurs and herbal liqueurs,” in Int. Class 33.

(b) Incontestable U.S. Registration No. 3008995 duly and legally issued on October 25, 2005 on the Principal Register of the Patent and Trademark Office for the mark JÄGER as applied to “bitter liqueurs, semi-bitter liqueurs and herbal liqueurs,” in Int. Class 33.

(c) U.S. Registration No. 3465834 duly and legally issued on July 15, 2008 on the Principal Register of the Patent and Trademark Office for the mark JÄGER BOMB as applied to “non-luminous, non-mechanical tin signs,” in Int. Class 6; “magnets, cold box clings being akin to refrigerator magnets,” in Int. Class 9; “cardboard, photographs, stickers,” in Int. Class 16; “non-luminous, non-mechanical signs not of metal, namely, acrylic price signs, acrylic bar signs,” in Int. Class 19; “plastic cups,” in Int. Class 21; “banners of cloth,” in Int. Class 24.

(d) U.S. Registration No. 4082197 duly and legally issued on January 1, 2012 on the Principal Register of the Patent and Trademark Office for the mark JÄGER BOMB as applied to “liqueurs, namely, herbal liqueurs; alcoholic mixed beverages except beers; spirits,” in Int. Class 33.

(e) U.S. Registration No. 3940228 duly and legally issued on April 5, 2011 on the Principal Register of the Patent and Trademark Office for the mark JÄGER BARREL as

applied to “non-luminous, non-mechanical tins signs,” in Int. Class 6; “decorative magnets,” in Int. Class 9; “posters, stickers,” in Int. Class 16; “banners of cloth,” in Int. Class 24; “liqueurs, namely, herbal liqueurs, spirits,” in Int. Class 33.

(f) Incontestable U.S. Registration No. 1946191 duly and legally issued on January 9, 1996 on the Principal Register of the Patent and Trademark Office for the mark JAGER DUDES as applied to “promoting the sale of the goods and services of others, namely alcoholic beverages, through personal appearances by models,” in Int. Class 35.

(g) Incontestable U.S. Registration No. 1946190 duly and legally issued on January 9, 1996 on the Principal Register of the Patent and Trademark Office for the mark JAGERETTES as applied to “promoting the sale of the goods and services of others, namely alcoholic beverages, through personal appearances by models,” in Int. Class 35.

(h) U.S. Registration No. 3940336 duly and legally issued on April 5, 2011 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER RACING as applied to “Posters, stickers,” in Int. Class 16, “Hand towels of textile, banners of cloth, in Int. Class 24, “Clothing, namely, t-shirts, headgear, namely, caps,” in Int. Class 25, “Liqueurs, namely, herbal liqueurs, distilled spirits,” in Int. Class 33, “Entertainment in the nature of automobile races,” in Int. Class 41.

(i) U.S. Registration No. 4507949 duly and legally issued on April 1, 2014 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER SPICE as applied to “Bitter liqueurs, semi-bitter liqueurs and herbal liqueurs; spirits,” in Int. Class 33.

(j) Incontestable U.S. Registration No. 857604 duly and legally issued on September 24, 1968 on the Principal Register of the Patent and Trademark Office for the mark

JÄGERMEISTER (stylized) as applied to “liqueurs, specifically herbal liqueurs,” in Int. Class 33.

(k) Incontestable U.S. Registration No. 3076932 duly and legally issued on April 4, 2006 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER (stylized) as applied to “umbrellas, parasols,” in Int. Class 18, “clothing, namely, shirts, shorts, pants, jackets, underwear, socks and sweatshirts, headwear, namely hats and caps, footwear,” in Int. Class 25; “herbal liqueurs,” in Int. Class 33.

(l) Incontestable U.S. Registration No. 861094 duly and legally issued on November 26, 1968 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER & Design as applied to “liqueurs, specifically herbalic liqueurs,” in Int. Class 33.

(m) Incontestable U.S. Registration No. 1952558 duly and legally issued on January 30, 1996 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER & Design as applied to “herbalic liqueurs,” in Int. Class 33

(n) Incontestable U.S. Registration No. 2165258 duly and legally issued on June 16, 1998 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER & Design as applied to “distilled spirits,” in Int. Class 33

(o) Incontestable U.S. Registration No. 2970791 duly and legally issued on July 19, 2005 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER & Design as applied to “alcoholic spirits, namely, herbal liqueurs,” in Int. Class 33.

(p) Incontestable U.S. Registration No. 2989455 duly and legally issued on August 30, 2005 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER & Design as applied to “liqueurs,” in Int. Class 33.

(q) Incontestable U.S. Registration No. 3051959 duly and legally issued on January 31, 2006 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER & Design as applied to “liqueurs, specifically herbal liqueurs,” in Int. Class 33.

5. Opposer’s registrations are in all respects valid, subsisting and in full force and effect and TESS printouts of the aforementioned registrations are attached.

6. Upon information and belief, Applicant knew of Opposer’s rights in the JÄGER Marks before Applicant applied to register its alleged mark JAGERFEST.

7. Upon information and belief, Applicant adopted its alleged mark in bad faith with an intent to cause confusion and deception, to create a false suggestion of connection or association with Opposer, and to trade on the fame, popularity and goodwill associated with Opposer’s JÄGER Marks.

8. Opposer’s mark JÄGER is pronounced JAGER and, therefore, Applicant obviously adopted its mark with the intent to make it identical in sound to the salient feature of Opposer’s Marks.

#### **LIKELIHOOD OF CONFUSION - § 2(d)**

9. The mark that Applicant seeks to register so resembles Opposer’s JÄGER Marks that the use and registration thereof is likely to cause confusion, mistake and deception as to the source or origin of Applicant’s services and will injure and damage Opposer and the goodwill and reputation symbolized by Opposer’s JÄGER Marks.

10. The services of Applicant are so related to the goods and services sold under Opposer's JÄGER Marks that the public is likely to be confused, to be deceived and to assume erroneously that Applicant's services are those of Opposer or that Applicant is in some way connected with, licensed or sponsored by or affiliated with Opposer, all to Opposer's irreparable damage.

11. Likelihood of confusion in this case is enhanced by the extraordinary fame of Opposer's JÄGER Marks, and by the fact that consumers associate the Marks with goods or services sold, approved or endorsed by Opposer; moreover, individuals that might purchase Applicant's services are prospective purchasers of products and services sold under Opposer's JÄGER Marks.

12. Likelihood of confusion in this case is enhanced by the fact that the dominant part of Applicant's alleged mark is phonetically identical to Opposer's JÄGER Marks, and that the services in the application are related to the goods or services sold under Opposer's JÄGER Marks.

**DECEPTION/FALSE SUGGESTION OF CONNECTION - §2(a)**

13. Applicant's mark so closely resembles Opposer's JÄGER Marks that it is likely to cause deception in violation of Section 2(a) of the Trademark Act, in that said mark misdescribes the nature or origin of the services, purchasers are likely to believe that the misdescription actually describes the nature or origin of the services, and this is likely to materially alter purchasers' decisions to acquire Applicant's services.

14. Applicant's alleged mark so closely resembles Opposer's JÄGER Marks that it falsely suggests a connection with Opposer in violation of Section 2(a) of the Trademark Act, because Applicant's alleged mark points uniquely to Opposer, and purchasers will assume that services sold under Applicant's alleged mark are connected with Opposer.

15. If Applicant's alleged mark is used on services of the type described in its application, Applicant's alleged mark will cause purchasers to refrain from purchasing Opposer's authorized goods or services based on the mistaken assumption that Opposer is endorsing, attempting to promote, or encouraging the sale of Applicant's services by permitting Applicant to use said mark.

16. Applicant's mark is deceptive in that it falsely suggests a connection with, or approval by, Opposer.

17. Use and registration by Applicant of its alleged mark will deprive Opposer of the ability to protect its reputation, persona and goodwill.

18. Likelihood of damage to Opposer's goodwill is enhanced by the fact that prospective customers who are not satisfied with the quality of Applicant's services will attribute those defects to Opposer and this will injure Opposer's reputation and goodwill.

#### **DILUTION - §43(c)**

19. For many years, Opposer's Marks have been widely used in the United States and, therefore, these Marks have become well known and famous as distinctive symbols of Opposer's goodwill.

20. Opposer's JÄGER Marks have been known and famous since long before Applicant used or applied to register its alleged mark.

21. The JAGERFEST mark shown in Applicant's application will cause dilution of the distinctive quality of Opposer's JÄGER Marks.

22. Use or registration of Applicant's alleged mark will lessen the capacity of Opposer's famous Marks to identify and distinguish Opposer's goods and services.

23. Use and registration of Applicant's alleged mark will deprive Opposer of the ability to protect its reputation, persona and goodwill.

24. Applicant's use or registration of its alleged mark for the goods listed in its application will tarnish the goodwill symbolized by Opposer's JÄGER Marks.

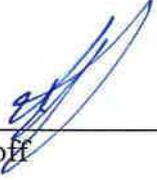
25. Likelihood of tarnishment and damage to Opposer's goodwill is enhanced by the fact that prospective customers who are dissatisfied with the quality of Applicant's services will attribute those defects to Opposer.

26. By reason of the foregoing, Opposer will be damaged by the registration of Applicant's alleged mark and registration should be refused.

Respectfully submitted,

Date: May 12, 2014

By: \_\_\_\_\_

  
  
Katrin Lewertoff  
Michael A. Grow  
Arent Fox LLP  
1675 Broadway  
New York, New York 10019  
(212) 484-3900

Attorneys for Opposer,  
MAST-JAEGERMEISTER SE

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing, **Notice of Opposition**, was served on Attorney for Applicant via First Class Mail, postage pre-paid addressed to:

Dorothy S. Morse  
515 Park Dr.  
Bradenton, FL 34209  
United States of America

Date: May 12, 2014



Katrin Lewertoff



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# JAGER

<b>Word Mark</b>	JAGER
<b>Translations</b>	The wording "JAGER" has no meaning in a foreign language.
<b>Goods and Services</b>	IC 033. US 047 049. G & S: Bitter liqueurs, semi-bitter liqueurs and herbal liqueurs
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	85560465
<b>Filing Date</b>	March 5, 2012
<b>Current Basis</b>	44E
<b>Original Filing Basis</b>	44E
<b>Published for Opposition</b>	October 16, 2012
<b>Registration Number</b>	<b>4267257</b>
<b>Registration Date</b>	January 1, 2013
<b>Owner</b>	(REGISTRANT) Mast-Jaegermeister SE societates europae (se) FED REP GERMANY Jaegermeisterstrasse 7-15 38296 Wolfenbuettel FED REP GERMANY
<b>Attorney of Record</b>	Katrin lewertoff and Michael A. Grow
<b>Prior Registrations</b>	0857604;0861094;3008995;AND OTHERS
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# Jäger

<b>Word Mark</b>	JÄGER
<b>Translations</b>	The English translation of the term "JAGER" is "HUNTER."
<b>Goods and Services</b>	IC 033. US 047 049. G & S: Bitter liqueurs, semi-bitter liqueurs and herbal liqueurs
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	79001883
<b>Filing Date</b>	March 16, 2004
<b>Current Basis</b>	66A
<b>Original Filing Basis</b>	66A
<b>Published for Opposition</b>	August 2, 2005
<b>Registration Number</b>	<b>3008995</b>
<b>International Registration Number</b>	0405144
<b>Registration Date</b>	October 25, 2005
<b>Owner</b>	(REGISTRANT) Mast-Jägermeister SE société par actions anonyme (S.A.) FED REP GERMANY Jägermeisterstrasse 7-15 38296 Wolfenbüttel FED REP GERMANY
<b>Attorney of Record</b>	Katrin Lewertoff and Michael A. Grow
<b>Prior Registrations</b>	0857604;1952558;2191151;AND OTHERS
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Affidavit Text</b>	SECT 15. SECTION 71
<b>Live/Dead Indicator</b>	LIVE

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# JÄGER BOMB

**Word Mark** JÄGER BOMB

**Translations** The foreign wording in the mark translates into English as HUNTER.

**Goods and Services** IC 006. US 002 012 013 014 023 025 050. G & S: Non-luminous, non-mechanical tin signs. FIRST USE: 20070430. FIRST USE IN COMMERCE: 20070430

IC 009. US 021 023 026 036 038. G & S: Magnets, cold box clings being akin to refrigerator magnets. FIRST USE: 20070430. FIRST USE IN COMMERCE: 20070430

IC 016. US 002 005 022 023 029 037 038 050. G & S: cardboard, photographs, stickers. FIRST USE: 20070223. FIRST USE IN COMMERCE: 20070223

IC 019. US 001 012 033 050. G & S: Non-luminous, non-mechanical signs not of metal, namely, acrylic price signs, acrylic bar signs. FIRST USE: 20070430. FIRST USE IN COMMERCE: 20070430

IC 021. US 002 013 023 029 030 033 040 050. G & S: plastic cups. FIRST USE: 20070430. FIRST USE IN COMMERCE: 20070430

IC 024. US 042 050. G & S: Banners of cloth. FIRST USE: 20070430. FIRST USE IN COMMERCE: 20070430

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Trademark Search Facility** NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and

**Classification Code** mathematical signs,zodiac signs,prescription marks  
**Serial Number** 77206302  
**Filing Date** June 14, 2007  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** April 29, 2008  
**Registration Number** **3465834**  
**Registration Date** July 15, 2008  
**Owner** (REGISTRANT) Mast-Jaegermeister AG CORPORATION FED REP GERMANY Mast-Jaegermeisterstrasse 7-15 38296 Wolfenbuettel FED REP GERMANY  
  
(LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Katrin Lewertoff  
**Prior Registrations** 3008995  
**Type of Mark Register** TRADEMARK PRINCIPAL  
**Live/Dead Indicator** LIVE

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# JÄGER BOMB

<b>Word Mark</b>	JÄGER BOMB
<b>Translations</b>	The English translation of "JÄGER" in the mark is "HUNTER".
<b>Goods and Services</b>	IC 033. US 047 049. G & S: Liqueurs, namely, herbal liqueurs; alcoholic mixed beverages except beers; spirits
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	85170336
<b>Filing Date</b>	November 5, 2010
<b>Current Basis</b>	44E
<b>Original Filing Basis</b>	44D
<b>Published for Opposition</b>	October 25, 2011
<b>Registration Number</b>	<b>4082197</b>
<b>Registration Date</b>	January 10, 2012
<b>Owner</b>	(REGISTRANT) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Katrin Lewertoff and Michael A. Grow
<b>Prior Registrations</b>	3008995
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# JÄGER BARREL

<b>Word Mark</b>	JÄGER BARREL
<b>Translations</b>	The English translation of "JÄGER" in the mark is HUNTER.
<b>Goods and Services</b>	IC 006. US 002 012 013 014 023 025 050. G & S: Non-luminous, non-mechanical tin signs  IC 009. US 021 023 026 036 038. G & S: Decorative magnets  IC 016. US 002 005 022 023 029 037 038 050. G & S: Posters, stickers  IC 024. US 042 050. G & S: Banners of Cloth  IC 033. US 047 049. G & S: Liqueurs, namely, herbal liqueurs, spirits
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	85057580
<b>Filing Date</b>	June 8, 2010
<b>Current Basis</b>	44E
<b>Original Filing Basis</b>	44D
<b>Published for Opposition</b>	January 18, 2011
<b>Registration Number</b>	<b>3940228</b>
<b>Registration Date</b>	April 5, 2011
<b>Owner</b>	(REGISTRANT) Mast Jägermeister AG CORPORATION FED REP GERMANY Jägermeisterstrasse 7-15 38296 Wolfenbüttel FED REP GERMANY
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED

**Attorney of Record** Katrin Lewertoff  
**Priority Date** May 3, 2010  
**Prior Registrations** 3008995;3465834  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BARREL" APART FROM THE MARK AS SHOWN  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**Typed Drawing**

<b>Word Mark</b>	JAGER DUDES
<b>Translations</b>	The German word "JAGER" which translates as "hunter".
<b>Goods and Services</b>	IC 035. US 100 101 102. G & S: promoting the sale of the goods and services of others, namely alcoholic beverages, through personal appearances by models. FIRST USE: 19900800. FIRST USE IN COMMERCE: 19900800
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	74415781
<b>Filing Date</b>	July 23, 1993
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	October 17, 1995
<b>Registration Number</b>	<b>1946191</b>
<b>Registration Date</b>	January 9, 1996
<b>Owner</b>	(REGISTRANT) Sidney Frank Importing Co., Inc. CORPORATION NEW YORK Cedar Plaza 20 Cedar Street New Rochelle NEW YORK 108015217  (LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	KATRIN LEWERTOFF
<b>Type of Mark Register</b>	SERVICE MARK PRINCIPAL
<b>Affidavit Text Renewal</b>	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20051112. 1ST RENEWAL 20051112

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**Typed Drawing**

<b>Word Mark</b>	JAGERETTES
<b>Goods and Services</b>	IC 035. US 100 101 102. G & S: promoting the sale of the goods and services of others, namely alcoholic beverages, through personal appearances by models. FIRST USE: 19880300. FIRST USE IN COMMERCE: 19880300
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	74415780
<b>Filing Date</b>	July 23, 1993
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	October 17, 1995
<b>Registration Number</b>	<b>1946190</b>
<b>Registration Date</b>	January 9, 1996
<b>Owner</b>	(REGISTRANT) Sidney Frank Importing Co., Inc. CORPORATION NEW YORK Cedar Plaza 20 Cedar Street New Rochelle NEW YORK 108015217  (LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	KATRIN LEWERTOFF
<b>Type of Mark</b>	SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Affidavit Text</b>	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20051112.
<b>Renewal</b>	1ST RENEWAL 20051112
<b>Live/Dead</b>	LIVE

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**JÄGERMEISTER RACING**

**Word Mark** JÄGERMEISTER RACING  
**Translations** The English translation of "JÄGERMEISTER" in the mark is MASTER OF THE HUNT.  
**Goods and Services** IC 016. US 002 005 022 023 029 037 038 050. G & S: Posters, stickers  
 IC 024. US 042 050. G & S: Hand towels of textile, banners of cloth  
 IC 025. US 022 039. G & S: Clothing, namely, t-shirts, headgear, namely, caps  
 IC 033. US 047 049. G & S: Liqueurs, namely, herbal liqueurs, distilled spirits  
 IC 041. US 100 101 107. G & S: Entertainment in the nature of automobile races

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 85085788  
**Filing Date** July 15, 2010  
**Current Basis** 44E  
**Original Filing Basis** 44D  
**Published for Opposition** January 18, 2011  
**Registration Number** 3940336  
**Registration Date** April 5, 2011  
**Owner** (REGISTRANT) Mast-Jägermeister AG CORPORATION FED REP GERMANY  
 Jägermeisterstrasse 7-15 38296 Wolfenbüttel FED REP GERMANY  
**Assignment** ASSIGNMENT RECORDED

**Recorded****Attorney of Record** Katrin Lewertoff and Michael A. Grow**Priority Date** June 22, 2010**Prior Registrations** 0857604;0861094;1952558;AND OTHERS**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RACING" APART FROM THE MARK AS SHOWN**Type of Mark** TRADEMARK. SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[|.HOME](#) | [SITE INDEX|](#) [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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# JÄGERMEISTER SPICE

<b>Word Mark</b>	JÄGERMEISTER SPICE
<b>Translations</b>	The English translation of the word "JÄGERMEISTER" in the mark is "master of the hunt".
<b>Goods and Services</b>	IC 033. US 047 049. G & S: Bitter liqueurs, semi-bitter liqueurs and herbal liqueurs; spirits. FIRST USE: 20130710. FIRST USE IN COMMERCE: 20130710
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	85929085
<b>Filing Date</b>	May 10, 2013
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	October 8, 2013
<b>Registration Number</b>	<b>4507949</b>
<b>Registration Date</b>	April 1, 2014
<b>Owner</b>	(REGISTRANT) Mast-Jaegermeister SE societates europae (se) FED REP GERMANY Jaegermeisterstrasse 7-15 38296 Wolfenbuettel FED REP GERMANY
<b>Attorney of Record</b>	Katrin Lewertoff and Michael A. Grow
<b>Prior Registrations</b>	0857604;2165258;3076932;AND OTHERS
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SPICE" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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<b>Word Mark</b>	JAGERMEISTER
<b>Translations</b>	THE WORD "JAGERMEISTER" TRANSLATED MEANS "MASTER OF THE HUNT."
<b>Goods and Services</b>	IC 033. US 049. G & S: LIQUEURS, SPECIFICALLY HERBALIC LIQUEURS
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	72271632
<b>Filing Date</b>	May 16, 1967
<b>Current Basis</b>	44E
<b>Original Filing Basis</b>	44E
<b>Registration Number</b>	<b>0857604</b>
<b>Registration Date</b>	September 24, 1968
<b>Owner</b>	(REGISTRANT) MAST, CURT INDIVIDUAL FED REP GERMANY WOLFENBUTTEL FED REP GERMANY  (LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Katrin Lewertoff and Leslie K. Mitchell
<b>Type of Mark Register</b>	TRADEMARK PRINCIPAL

**Affidavit Text**    SECT 15. SECTION 8(10-YR) 20080528.  
**Renewal**            2ND RENEWAL 20080528  
**Live/Dead**  
**Indicator**         LIVE

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**Jägermeister**

**Word Mark** JÄGERMEISTER

**Translations** The foreign wording in the mark translates into English as master of the hunt.

**Goods and Services** IC 018. US 001 002 003 022 041. G & S: Umbrellas, parasols

IC 025. US 022 039. G & S: Clothing, namely, shirts, shorts, pants, jackets, [ suits, ] underwear, socks and [ pajamas, lingerie, ] sweatshirts, [ sweatpants, ] headwear, namely, hats and caps, footwear

(CANCELLED) IC 032. US 045 046 048. G & S: [ Non-alcoholic beverages, namely, mineral and aerated waters, soft drinks, fruit drinks, fruit flavored drinks, energy drinks, sports drinks and isotonic drinks ]

IC 033. US 047 049. G & S: [ Wines, sparkling wines, fruit wines, sparkling fruit wines, distilled spirits, ] herbal liqueurs

**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Serial Number** 79009139

**Filing Date** January 25, 2005

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** January 10, 2006

**Change In Registration** CHANGE IN REGISTRATION HAS OCCURRED

**Registration Number** 3076932

**International Registration Number** 0663995

**Registration Date** April 4, 2006  
**Owner** (REGISTRANT) Mast-Jägermeister SE société par actions anonyme (S.A.) FED REP GERMANY Jägermeisterstrasse 7-15 38296 Wolfenbüttel FED REP GERMANY  
**Attorney of Record** Katrin Lewertoff and Michael A. Grow  
**Prior Registrations** 0861094;2238324;2824183;AND OTHERS  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. PARTIAL SECTION 71 20110923.  
**Live/Dead Indicator** LIVE

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**Word Mark** JAGERMEISTER  
**Translations** THE WORD "JAGERMEISTER" TRANSLATED MEANS "MASTER OF THE HUNT."  
**Goods and Services** IC 033. US 049. G & S: LIQUEURS, SPECIFICALLY HERBALIC LIQUEURS  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 03.07.07 - Caribou; Deer, elk, reindeer, fawns, antelopes, moose, gazelles; Fawns; Gazelle; Impala  
 03.07.08 - Antelopes; Heads of deer, elk, reindeer, fawns, antelopes, moose, gazelles  
 05.03.09 - Needles, branches with needles  
 05.03.25 - Leaf, single; Other leaves  
 05.15.25 - Other decorations made of plants  
 24.13.01 - Cross, Latin (shorter horizontal lines); Latin cross (shorter horizontal lines)  
 24.13.04 - Crosses with rays or radiating lines  
 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles  
**Serial Number** 72271633  
**Filing Date** May 16, 1967  
**Current Basis** 44E  
**Original Filing Basis** 44E  
**Registration Number** 0861094  
**Registration Date** November 26, 1968  
**Owner** (REGISTRANT) MAST, CURT INDIVIDUAL FED REP GERMANY WOLFENBUTTEL FED REP GERMANY

(LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP  
GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Katrin Lewertoff and Leslie K. Mitchell

**Disclaimer** APPLICANT DISCLAIMS THE REPRESENTATION OF THE CRUCIFIX APART FROM THE MARK AS SHOWN.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECTION 8(10-YR) 20080806.

**Renewal** 1ST RENEWAL 20080806

**Live/Dead Indicator** LIVE

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**Word Mark** JAGERMEISTER AUSZUG EDELSTER KRAUTER KRAUTER LIQUEUR MAST JAGERMEISTER AG WOLFENBUTTEL, WESTERN GERMANY GEGRUNDET IM JAHRE 1878 DAS IST DES JAGERS EHRENSCHILD, DASS ER BESCHUTZT UND HEGT SEIN WILD, WEIDMANNISCH JAGT, WIE SICH'S GEHORT, DEN SCHOPFER IM GESCHOPFE EHRT

**Translations** The English translation of the German words "JAGERMEISTER" is "master hunter", "AUSZUG EDELSTER KRAUTER" is "extract of the most precious herbs", "KRAUTER LIQUEUR" is "herbal liqueur", and "WOLFENBUTTEL" is "city". The marginal words - "DAS IST DES JAGERS EHRENSCHILD, DASS ER BESCHUTZT UND HEGT SEIN WILD, WEIDMANNISCH JAGT, WIE SICH'S GEHORT, DEN SCHOPFER IM GESCHOPFE EHRT. It is "a point of honor to a gamekeeper to protect and guard his game, to hunt sportsmanlike and according to the rules, and to honor the creator by honoring the game".

**Goods and Services** IC 033. US 049. G & S: herbalic liqueurs. FIRST USE: 19350517. FIRST USE IN COMMERCE: 19730000

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 03.07.07 - Caribou; Deer, elk, reindeer, fawns, antelopes, moose, gazelles; Fawns; Gazelle; Impala  
05.03.05 - Fern or palm fronds  
24.13.25 - Cross, ankh; Cross, Maltese; Other crosses, including ankh, Maltese  
26.11.21 - Rectangles that are completely or partially shaded  
26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)

**Serial Number** 74562742

**Filing Date** August 18, 1994

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** November 7, 1995

**Registration Number** 1952558  
**Registration Date** January 30, 1996  
**Owner** (REGISTRANT) Mast-Jagermeister AG CORPORATION FED REP GERMANY Wolfenbuettel FED REP GERMANY  
  
(LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Katrin Lewertoff  
**Prior Registrations** 0857604;0861094  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AUSZUG EDELSTER KRAUTER KRAUTER LIQUEUR, A.G., WOLFENBUTTEL, WEST GERMANY, GEGRUNDET IM JAHRE 1878" and the representation of the crucifx APART FROM THE MARK AS SHOWN  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060102.  
**Renewal** 1ST RENEWAL 20060102  
**Live/Dead Indicator** LIVE

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**Word Mark** JAGERMEISTER KRAUTER-LIQUEUR IMPORTED AUSZUG EDELSTER KRAUTER CARAMEL COLOR ADDED ONE LITER 35% ALC. BY VOL. (70 PROOF) PRODUCED AND BOTTLED BY AG WOLFENBUTTEL WESTERN GERMANY GEGRUNDET IM JAHRE 1878 SERVE COLD KEEP ON ICE

**Translations** "GEGRUNDET IM JAHRE" means "founded in the year".

**Goods and Services** IC 033. US 047 049. G & S: distilled spirits. FIRST USE: 19350527. FIRST USE IN COMMERCE: 19600000

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 01.15.25 - Coal; Dust; Light rays; Liquids, spilling; Pouring liquids; Sand; Spilling liquids  
 03.07.08 - Antelopes; Heads of deer, elk, reindeer, fawns, antelopes, moose, gazelles  
 03.07.24 - Stylized bovines, deer, antelopes, goats, sheep, pigs, cows, bulls, buffalo, moose  
 05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches  
 19.09.03 - Bottles, jars or flasks with straight, vertical sides; Flasks with straight or vertical sides; Jars with straight or vertical sides  
 20.03.10 - Bottle labels; Labels for bottles  
 24.09.07 - Advertising, banners; Banners  
 24.13.01 - Cross, Latin (shorter horizontal lines); Latin cross (shorter horizontal lines)  
 26.01.21 - Circles that are totally or partially shaded.  
 26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)  
 26.11.28 - Miscellaneous designs with overall rectangular shape; Rectangular shapes (miscellaneous overall shape)

**Serial Number** 75197319

**Filing Date** November 13, 1996

**Current Basis** 1A

**Original Filing**

**Basis** 1A  
**Published for Opposition** March 24, 1998  
**Registration Number** 2165258  
**Registration Date** June 16, 1998  
**Owner** (REGISTRANT) Mast-Jagermeister AG CORPORATION FED REP GERMANY Jagermeisterstrasse 7-15 D-38296 Wolfenbuettel FED REP GERMANY  
  
(LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Katrin Lewertoff  
**Prior Registrations** 0857604;0861094;1952558  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "IMPORTED", "AUSZUG EDELSTER KRAUTER"; "KRUATER-LIQUEUR"; "CAMEL COLOR ADDED"; "ONE LITER 35% ALC. BY VOL. (70 PROOF)"; "PRODUCED AND BOTTLED BY"; "AG"; "WOLFENBUTTEL, WESTERN GERMANY"; "GEGRUNDET IM JAHRE 1878"; "SERVE COLD"; and "KEEP ON ICE" and the representation of the crucifix APART FROM THE MARK AS SHOWN  
**Description of Mark** The mark consists of the configuration of the bottle container for the goods, having indented sides with the name "JAGERMEISTER" embossed thereon; and the label affixed to said bottle container, and the wording and deer and cross design appearing on said label. The lining shown in the drawing is a feature of the mark and is not intended to indicate color.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL-2(F)  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080102.  
**Renewal** 1ST RENEWAL 20080102  
**Live/Dead Indicator** LIVE

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<b>Word Mark</b>	JÄGERMEISTER
<b>Goods and Services</b>	IC 033. US 047 049. G & S: Alcoholic spirits, namely, [ distilled spirits, alcoholic bitters and ] herbal liqueurs
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	19.09.03 - Bottles, jars or flasks with straight, vertical sides; Flasks with straight or vertical sides; Jars with straight or vertical sides
<b>Serial Number</b>	79000949
<b>Filing Date</b>	January 26, 2004
<b>Current Basis</b>	66A
<b>Original Filing Basis</b>	66A
<b>Published for Opposition</b>	April 26, 2005
<b>Registration Number</b>	<b>2970791</b>
<b>International Registration Number</b>	0717647
<b>Registration Date</b>	July 19, 2005
<b>Owner</b>	(REGISTRANT) Mast-Jägermeister SE CORPORATION FED REP GERMANY Jägermeisterstrasse 7-15 38296 Wolfenbüttel FED REP GERMANY
<b>Attorney of Record</b>	KATRIN LEWERTOFF
<b>Prior Registrations</b>	0857604;1952558;2824183;AND OTHERS

**Description of Mark** The color(s) green is/are claimed as a feature of the mark. The color green appears in the bottle configuration portion of the mark. The mark consists of the configuration of the bottle container for the goods, having indented sides with the name "JAGERMEISTER" embossed on the sides of the bottle thereon.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECTION 71

**Live/Dead Indicator** LIVE

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**Word Mark** JAGERMEISTER

**Translations** The foreign wording in the mark translates into English as MASTER OF THE HUNT.

**Goods and Services** IC 033. US 047 049. G & S: liqueurs. FIRST USE: 20031010. FIRST USE IN COMMERCE: 20031010

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 03.07.07 - Caribou; Deer, elk, reindeer, fawns, antelopes, moose, gazelles; Fawns; Gazelle; Impala  
 03.07.11 - Heads of pigs, boars, goats, sheep and rams  
 03.07.24 - Stylized bovines, deer, antelopes, goats, sheep, pigs, cows, bulls, buffalo, moose  
 24.13.01 - Cross, Latin (shorter horizontal lines); Latin cross (shorter horizontal lines)  
 26.03.12 - Ovals with bars, bands and lines  
 26.03.21 - Ovals that are completely or partially shaded

**Serial Number** 78437518

**Filing Date** June 18, 2004

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** June 7, 2005

**Registration Number** 2989455

**Registration Date** August 30, 2005

**Owner**

(REGISTRANT) Mast-Jagermeister AG CORPORATION FED REP GERMANY  
Jagermeisterstrasse 7-15 38302 Wolfenbuettel FED REP GERMANY

(LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP  
GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Katrin Lewertoff and Michael A. Grow  
**Prior Registrations** 0857604;1952558;2824183;AND OTHERS  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
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**Word Mark** JAGERMEISTER AUSZUG EDELSTER KRAEUTER KRAEUTER LIQUEUR CARAMEL COLOR ADDED 1,75 LITER 35% ALC. BY VOL. (70 PROOF) PRODUCED AND BOTTLED BY MAST-JAEGERMEISTER AG WOLFENBUETTEL, WESTERN GERMANY GEGRUENDET IM JAHRE 1878 DAS IST DES JAEGER'S EHRENSCHILD, DASS ER BESCHUETZT UND HEGT SEIN WILD, WEIDMAENNISCH JAGT, WIE SICH'S GEHOERT, DEN SCHOEPFER IM GESCHOEPFE EHRT IMPORTED SERVE COLD KEEP ON ICE

**Translations** The foreign wording in the mark translates into English as JAEGERMEISTER means master of the hunt; AUSZUG EDELSTER KRAEUTER means extract of the most precious herbs; KRAEUTER LIQUEUR means herbal liqueur; GEGRUENDET IM JAHRE 1878 means founded in the year 1878; and the wording around the border of the label - DAS IST DES JAEGER'S EHRENSCHILD, DASS ER BESCHUETZT UND HEGT SEIN WILD, WEIDMAENNISCH JAGT, WIE SICH'S GEHOERT DEN SCHOEPFER IM GESCHOEPFE EHRT means it is a point of honor to a gamekeeper to protect and guard his game, to hunt sportsmanlike and according to the rules, and to honor the creator by honoring the game.

**Goods and Services** IC 033. US 047 049. G & S: Liqueurs, specifically herbatic liqueurs. FIRST USE: 20010105. FIRST USE IN COMMERCE: 20010105

**Mark**

**Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 03.07.08 - Antelopes; Heads of deer, elk, reindeer, fawns, antelopes, moose, gazelles  
19.09.02 - Bottles, jars or flasks with bulging, protruding or rounded sides; Flasks with bulging or protruding sides; Jars with bulging or protruding sides  
24.13.01 - Cross, Latin (shorter horizontal lines); Latin cross (shorter horizontal lines)  
24.13.04 - Crosses with rays or radiating lines

**Serial Number** 76218397

**Filing Date** March 1, 2001

**Current**

**Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** November 8, 2005  
**Registration Number** 3051959  
**Registration Date** January 31, 2006  
**Owner** (REGISTRANT) Mast-Jagermeister AG CORPORATION FED REP GERMANY Jagermeisterstr. 7-15 Wolfenbuettel FED REP GERMANY D38296

(LAST LISTED OWNER) MAST-JAEGERMEISTER SE EUROPEAN COMPANY FED REP GERMANY JAEGERMEISTERSTRASSE 7-15 38296 WOLFENBUETTEL FED REP GERMANY

**Assignment Recorded** ASSIGNMENT RECORDED  
**Prior Registrations** 0857604;0861094;1952558;2165258;2238324;2824183;2970791;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE IMPORTED; SERVE COLD; KEEP ON ICE; AUSZUG EDELSTER KRAEUTER, KRAEUTER LIQUEUR; CAMEL COLOR ADDED 1,75 LITER 35% ALC. BY VOL. (70 PROOF); PRODUCED AND BOTTLED BY MAST-JAEGERMEISTER AG, WOLFENBUETTEL WESTERN GERMANY; GEGRUENDET IM JAHRE 1878 and the bottle cap APART FROM THE MARK AS SHOWN

**Description of Mark** The color(s) green is/are claimed as a feature of the mark. The mark consists of a design of a bottle label which contains the name JAGERMEISTER with an umlaut over the letter A and with a portrait of a stag and symbol of a cross as applied to a container for an alcoholic beverage. In the center of the label, under the term JAEGERMEISTER, the following wording appears: AUSZUG EDELSTER KRAEUTER, followed by KRAEUTER LIQUEUR and CAMEL COLOR ADDED 1,75 LITER 35% ALC. BY VOL. (70 PROOF) PRODUCED AND BOTTLED BY MAST- JAEGERMEISTER AG, WOLFENBUETTEL, WESTERN GERMANY. Across the bottom of the rectangular border of the label is the wording GEGRUENDET IM JAHRE 1878, and the wording around the rectangular border is DAS IST DES JAEGER'S EHRENSCHILD, DASS ER BESCHUETZT UND HEGT SEIN WILD, WEIDMAENNISCH JAGT, WIE SICH'S GEHOERT, DEN SCHOEPFER IM GESCHOEPFE EHRT. The mark also consists of the configuration of the bottle container for the goods, with the container having indented sides with the name "JAGERMEISTER" embossed on the sides of the bottle thereon. The lining is a feature of the mark and does not indicate color.

**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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