

ESTTA Tracking number: **ESTTA332280**

Filing date: **02/16/2010**

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	Fratelli Branca Distillerie S.r.l.
Granted to Date of previous extension	02/14/2010
Address	Via Broletto, 35 Milano, I20121 ITALY

Attorney information	G. Franklin Rothwell; Anne M. Sterba Rothwell, Figg, Ernst, & Manbeck, P.C. 1425 K Street NW 8th Floor Washington, DC 20005 UNITED STATES PTO-TM-Email@rothwellfigg.com Phone:202-783-6040
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**Applicant Information**

Application No	77535073	Publication date	08/18/2009
Opposition Filing Date	02/16/2010	Opposition Period Ends	02/14/2010
Applicant	Branca, Inc. 1325 North State Parkway Chicago, IL 60610 UNITED STATES		

**Goods/Services Affected by Opposition**


Class 021. First Use: 2008/05/08 First Use In Commerce: 2008/05/08 All goods and services in the class are opposed, namely: Porcelain and earthenware, namely, vases, bowls, serving trays, dishes, pitchers, mugs, cups, teapots, plates; dinnerware; china dinnerware; drinking glasses
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**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
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**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	23850	Application Date	03/22/1893
Registration Date	11/21/1893	Foreign Priority Date	NONE
Word Mark	FERNET BRANCA FRATELLI BRANCA E CO		

Design Mark	
Description of Mark	My trade-mark consists of a facsimile signature of the firm of "Fratelli Branca e Co." which may be printed or otherwise produced upon or applied to the packages containing the medicinal preparations. As shown in the drawing the signature appears upon a small oblong label having a ground work of elliptical spaces within each of which appears the words, "Fernet, Branca, Fernet, Branca", usually printed in yellow ink on white paper and inclosed by a black border and the fac simile signature "Fratelli Branca e Co." lithographed in black ink over such groundwork, lengthwise of the label. The size and appearance of label, may be varied at pleasure, without affecting the character of my trade-mark, the essential feature of which is the fac simile signature, "FRATELLI BRANCA E CO.".
Goods/Services	Class U018 (International Class 005). First use: First Use: 1887/00/00 First Use In Commerce: 1887/00/00 an Anticholera and Tonic Remedy

U.S. Registration No.	1583859	Application Date	07/26/1988
Registration Date	02/20/1990	Foreign Priority Date	NONE
Word Mark	FERNET BRANCA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1865/01/01 First Use In Commerce: 1869/00/00 BITTERS LIQUEUR		

Attachments	70023850#TMSN.gif ( 1 page )( bytes ) 1229-1508 Notice of Opposition.pdf ( 15 pages )(595724 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	/Anne M. Sterba/
Name	G. Franklin Rothwell; Anne M. Sterba
Date	02/16/2010

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

In the Matter of Application  
Serial No. 77/535073 in the  
Official Gazette dated August 18, 2009  
on Page TM 106

Fratelli Branca Distillerie S.r.l.,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. _____
	:	
Branca, Inc.,	:	
	:	
Applicant.	:	
	:	

**NOTICE OF OPPOSITION**

Fratelli Branca Distillerie S.r.l., an Italian Company, (hereinafter “Fratelli Branca”) with an address at Via Broletto, 35, I20121, Milano, Italy, believes that it will be damaged by registration of the mark “BRANCA” for “Porcelain and earthenware, namely, vases, bowls, serving trays, dishes, pitchers, mugs, cups, teapots, plates; dinnerware; china dinnerware; drinking glasses” (hereinafter the “Opposed Mark”) in International Class 21 as set forth in Application Serial No. 77/535,073, filed on July 30, 2008, and published on August 18, 2009 (hereinafter the “Application”), owned by Branca, Inc. with an address at 1325 North State Parkway, Chicago, IL 60610 (hereinafter the “Applicant”), and hereby opposes the same. As grounds for this opposition, it is alleged that:

1. Since long prior to the priority date of Applicant’s application, Fratelli Branca has extensively used, advertised and promoted the mark “FERNET BRANCA”

and "FERNET BRANCA FRATELLI BRANCA E CO," (hereinafter the "Fratelli Branca Marks") in the United States for liquors and beverages of various types.

2. Fratelli Branca is the owner and user (by assignment or otherwise) of the following U.S. registrations, among others:

- Registration No. 023,850 registered on November 21, 1893 for FERNET BRANCA FRATELLI BRANCA E CO and Design for "an Anticholera and Tonic Remedy" in Class 005;
- Registration No. 1,583,859, registered on February 20, 1990 for FERNET BRANCA for Bitters Liqueur in Class 033.

3. The above registrations are valid and subsisting. Status and title copies of the registrations are attached as **Exhibit A-1 to A-2** to the Notice of Opposition.

4. By virtue of the uncompromising and prestigious quality of the goods sold, advertised, and promoted under the Fratelli Branca Marks, the Fratelli Branca Marks have become well-known and has acquired recognition and strength throughout the United States.

5. Upon information and belief, the earliest date upon which Applicant can rely in these proceedings is May 8, 2008.

6. Applicant has no connection what so ever with Fratelli Branca and no permission or license was given by Fratelli Branca Applicant to use the Opposed Mark.

7. Fratelli Branca's use of the Fratelli Branca Marks in connection with liquor and beverages is such that members of the public will perceive the Opposed Mark in close proximity with the Fratelli Branca Marks and mistakenly assume that the

Opposed Mark emanates from Fratelli Branca and/or authorized or approved by Fratelli Branca due to its similarity to the Fratelli Branca Marks.

8. The Opposed Mark so closely resembles Fratelli Branca's previously used and registered marks that its use, in connection with the goods aforementioned, is likely to cause confusion, or to cause mistake or deceive, in violation of Section 2(d) of the Trademark Act of 1946, 15 U.S.C. § 1052 (d). Purchasers likely will assume that Fratelli Branca is somehow affiliated with, licenses, or endorses, Applicant's use of the Opposed Mark when Fratelli Branca is not connected in any way with Applicant or the intended use of the Opposed Mark.

9. Registration of the Opposed Mark will be inconsistent with Fratelli Branca's rights in the aforementioned registrations and Fratelli Branca's rights at common law and will be damaging to Fratelli Branca.

WHEREFORE, Fratelli Branca prays that this opposition be sustained and registration of the Application be refused.

Respectfully submitted,  
Fratelli Branca Distillerie S.r.l.

Date: February 16, 2010

By:



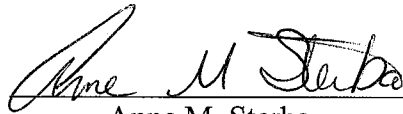
G. Franklin Rothwell  
Anne M. Sterba  
Attorneys for Opposer  
Rothwell, Figg, Ernst & Manbeck P.C.  
1425 K St., N.W.; Suite 800  
Washington, DC 20005  
Phone: 202-783-6040  
Fax: 202-783-6031

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing NOTICE OF OPPOSITION and Exhibits A-1 to A-2 has been served by First Class mail, postage prepaid, to

JAMI A. GEKAS  
WILDMAN, HARROLD, ALLEN & DIXON LLP  
225 W. WACKER DRIVE  
SUITE 2800  
CHICAGO, IL 60606

On this 16<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
Anne M. Sterba

1699790

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**This page was generated by the TARR system on 2010-02-15 12:15:21 ET**

**Serial Number:** 70023850 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 23850

**Mark**



**(words only):** FERNET BRANCA FRATELLI BRANCA E CO

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2004-01-30

**Filing Date:** 1893-03-22

**Transformed into a National Application:** No

**Registration Date:** 1893-11-21

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2008-10-02

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Fratelli Branca Distillerie S.r.l.

**Address:**  
Fratelli Branca Distillerie S.r.l.  
Via Broletto, 35

Fratelli Branca Distillerie S.r.l. v. Branca, Inc  
Fratelli Branca Distillerie S.r.l.'s Exhibit A-1  
Renewed  
Title: Fratelli Branca's Notice of Opposition Exhibit  
Page 1 of 6

Milano 20121

Italy

**Legal Entity Type:** Corporation**State or Country of Incorporation:** Italy

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**GOODS AND/OR SERVICES**


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**U.S. Class:** 018 (International Class 005)**Class Status:** Active

an Anticholera and Tonic Remedy

**Basis:** 1(a)**First Use Date:** 1887-00-00**First Use in Commerce Date:** 1887-00-00

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**ADDITIONAL INFORMATION**


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**Description of Mark:** My trade-mark consists of a facsimile signature of the firm of "Fratelli Branca e Co." which may be printed or otherwise produced upon or applied to the packages containing the medicinal preparations. As shown in the drawing the signature appears upon a small oblong label having a ground work of elliptical spaces within each of which appears the words, "Fernet, Branca, Fernet, Branca", usually printed in yellow ink on white paper and inclosed by a black border and the fac simile signature "Fratelli Branca e Co." lithographed in black ink over such groundwork, lengthwise of the label. The size and appearance of label, may be varied at pleasure, without affecting the character of my trade-mark, the essential feature of which is the fac simile signature, "FRATELLI BRANCA E CO.".

**Design Search Code(s):**

20.03.10 - Alcohol bottle labels; Bottles, labels for alcohol bottles; Labels, alcohol bottles

25.03.25 - Backgrounds covered with other figurative elements or repetitive designs, words or letters; Repetitive designs, words, or letters as a background

26.11.09 - Rectangles made of geometric figures, objects, humans, plants or animals

26.11.21 - Rectangles that are completely or partially shaded

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**MADRID PROTOCOL INFORMATION**


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(NOT AVAILABLE)

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**PROSECUTION HISTORY**


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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-10-30 - Notice Of Design Search Code Mailed

2008-10-02 - Case File In TICRS

2004-01-30 - Third renewal 10 year

Fratelli Branca Distillerie S.r.l. v. Branca, Inc  
Fratelli Branca Distillerie S.r.l.'s Exhibit A-1  
Renewed

2004-01-30 - Section 8 (10-year) accepted/ Section 9 granted

Title: Fratelli Branca's Notice of Opposition Exhibit  
Page 2 of 6



2003-11-20 - Combined Section 8 (10-year)/Section 9 filed

2003-11-20 - TEAS Section 8 & 9 Received

1983-11-21 - Fourth renewal

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

C Franklin Rothwell

**Correspondent**

C Franklin Rothwell

Rothwell, Figg, Ernst & Manbeck ,PC

1425 K Street, NW , Suite 800

WASHINGTON, DC 20005

**Domestic Representative**

Rothwell, Figg, Ernst & Manbeck

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Fratelli Branca Distillerie S.r.l. v. Branca, Inc  
Fratelli Branca Distillerie S.r.l.'s Exhibit A-1  
Renewed  
Title: Fratelli Branca's Notice of Opposition Exhibit  
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**Assignments on the Web > Trademark Query**

**Trademark Assignment Abstract of Title**

**Total Assignments: 5**

Serial #: 70023850      Filing Dt: 03/22/1893      Reg #: 23850      Reg. Dt: 11/21/1893

Registrant: Branca Scala, Maria

Mark: FERNET BRANCA FRATELLI BRANCA E CO

**Assignment: 1**

Reel/Frame: 0118/0178      Received:      Recorded: 10/09/1964      Pages: 4

Conveyance: BY RETURN ORDER ATTACHED AND BY SECTION 32 OF THE TRADING WITH THE ENEMY ACT, AS AMENDED, (60 STAT. 50), SAID MARK IS HEREBY RETURNED TO ASSIGNEES. (SEE RECORD FOR DETAILS).

Assignor: ATTORNEY GENERAL OF THE UNITED STATES BY: THE ASSISTANT ATTORNEY GENERAL, DIRECTOR, OFFICE OF ALIEN PROPERTY      Exec Dt: 12/06/1951

Assignees: BRANCA, LINA (CAROLINA) DOLFIN

FRANCESCO DOLFIN BOLDU

ELEANORA (NORINA) DOLFIN BOLDU

DINO (BERNARDINO) BRANCA

NOBILE DONNA CONTESSA TERESA LEGRENZI BRANCA

STENO DEI CONTI BRANCA

PIERLUIGI DEI CONTI BRANCA

MARIA BERNARDINA DEI CONTI BRANCA

GIANFRANCO GERLI

ANITA ROSA GERLI

Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE

Correspondent: ERIC H. WATERS  
 HASELTINE LAKE & CO.  
 19 W. 44TH ST.  
 NEW YORK, NY 10036

**Assignment: 2**

Reel/Frame: 0261/0252      Received:      Recorded: 12/09/1974      Pages: 3

Conveyance: CHANGE OF NAME

Assignor: BRANCA TRADE MARKS S.P.A.      Exec Dt: 10/01/1974

Assignee: BRANCA TRADE MARKS DI P.L. BRANCA & C. - S.A.S.

Entity Type: UNKNOWN  
 Citizenship: NONE  
 Entity Type: UNKNOWN  
 Citizenship: NONE

Correspondent: HASELTINE, LAKE & WATERS

Fratelli Branca Distillerie S.r.l. v. Branca, Inc  
 Fratelli Branca Distillerie S.r.l.'s Exhibit A-1  
 Renewed  
 Title: Fratelli Branca's Notice of Opposition Exhibit

19 WEST 44TH STREET  
NEW YORK, NY 10036

**Assignment: 3**

**Reel/Frame:** 0533/0152      **Received:**      **Recorded:** 07/28/1986      **Pages:** 1

**Conveyance:** ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

**Assignor:** BRANCA TRADE MARKS DI P.L.BRANCA & C.S.A.S.

**Exec Dt:** 07/18/1986

**Entity Type:** LIMITED PARTNERSHIP

**Citizenship:** ITALY

**Entity Type:** CORPORATION

**Citizenship:** ITALY

**Assignee:** FRATELLI BRANCA-DISTILLERIE S.P.A.

VIA BROLETTO 35  
20121 MILAN, ITALY

**Correspondent:** COHEN,PONTANI, ET AL.  
551 FIFTH AVE.  
NEW YORK, NY 10175

**Assignment: 4**

**Reel/Frame:** 2076/0638      **Received:** 05/22/2000      **Recorded:** 05/08/2000      **Pages:** 3

**Conveyance:** CHANGE OF NAME

**Assignor:** FRATELLI BRANCA-DISTILLERIE S.P.A.

**Exec Dt:** 04/29/1999

**Entity Type:** CORPORATION

**Citizenship:** ITALY

**Entity Type:** CORPORATION

**Citizenship:** ITALY

**Assignee:** FRATELLI BRANCA-DISTILLERIE S.R.L.

35 VIA BROLETTO  
MILAN, ITALY

**Correspondent:** LACKENBACH SIEGEL  
HOWARD N. ARONSON  
ONE CHASE ROAD  
SCARSDALE, NY 10583

**Assignment: 5**

**Reel/Frame:** 2749/0668      **Received:** 11/19/2003      **Recorded:** 11/19/2003      **Pages:** 3

**Conveyance:** CHANGE OF NAME

**Assignor:** FRATELLI-BRANCA DISTILLERIE S.P.A.

**Exec Dt:** 04/29/1999

**Entity Type:** JOINT STOCK COMPANY

**Citizenship:** ITALY

**Entity Type:** LTD LIAB JT ST CO

**Citizenship:** ITALY

**Assignee:** FRATELLI BRANCA DISTILLERIE S.R.L.

VIA BROLETTO, 35  
MILANO, ITALY 20121

**Correspondent:** G. FRANKLIN ROTHWELL  
1425 K STREET, NW  
SUITE 800  
WASHINGTON, DC 20005

Search Results as of: 02/15/2010 12:29 PM  
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Web interface last modified: October 18, 2008 v.2.0.2

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Fratelli Branca Distillerie S.r.l. v. Branca, Inc  
Fratelli Branca Distillerie S.r.l.'s Exhibit A-1  
Renewed  
Title: Fratelli Branca's Notice of Opposition Exhibit  
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RENEWED

UNITED STATES PATENT OFFICE.

MARIA BRANCA SCALA, OF MILAN, ITALY.

TRADE-MARK FOR AN ANTICHOLOERA AND TONIC REMEDY.

STATEMENT and DECLARATION of Trade-Mark No. 23,850, registered November 21, 1893.

Application filed March 22, 1893.

STATEMENT.

To all whom it may concern:

Be it known that I, MARIA BRANCA SCALA, widow of the Chev. Stefano Branca, a citizen of Italy, residing at 2 Borgonovo Street, Milan, Italy, as lawful representative of my sons Dolores, Bernardino, and Carolina, minors, heirs of the said Chev. Stefano Branca, and doing business at No. 7 Via S. Prospero, Milan, Italy, have adopted for my use a Trade-Mark for an Anticholera and Tonic Remedy, of which the following is a full, clear, and exact specification.

My trade-mark consists of a facsimile signature of the firm of "Fratelli Branca e Co." which may be printed or otherwise produced upon or applied to the packages containing the medicinal preparations. As shown in the drawing the signature appears upon a small oblong label having a ground work of elliptical spaces within each of which appears the words, "Fernet, Branca, Fernet, Branca," usually printed in yellow ink on white paper

and inclosed by a black border and the fac simile signature "Fratelli Branca e Co." lithographed in black ink over such groundwork, lengthwise of the label. The size and appearance of label, may be varied at pleasure, without affecting the character of my trade-mark, the essential feature of which is the fac simile signature, "FRATELLI BRANCA E CO." This trade-mark I have used continuously in my business since 1887.

The class of merchandise to which this trade-mark is appropriated is medicinal liquors, and the particular description of the goods comprised in said class upon which I use it is an anticholera and tonic remedy.

It is my practice to apply my trade-mark to the bottles containing the liquor by means of suitable labels, on which it is printed.

MARIA BRANCA SCALA.

Witnesses:

ALFRED ZANOBINI,  
OROSIO SILVIO.

DECLARATION.

Kingdom of Italy, city of Milan.

MARIA BRANCA SCALA, widow of the Chev. Stefano Branca, a citizen of Italy, residing at Milan, 2 Borgonovo Street, as lawful representative of her sons Dolores, Bernardino and Carolina, under age, had from the above mentioned Chev. Stefano Branca and heirs of the same, being duly sworn, deposes and says that she is the applicant named in the foregoing statement; that she verily believes that the foregoing statement is true; that she has at this time a right to the use of the trade-mark therein described; that no other person, firm or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as might be calculated to deceive; that it is used by her in com-

merce between the United States and foreign nations or Indian tribes; and that the description and fac-similes presented for record, truly represent the trade-mark sought to be registered.

Milan, February 20th, 1893.

MARIA BRANCA SCALA.

Witnesses:

ALFRED ZANOBINI,  
OROSIO SILVIO.

Declared, subscribed, and sworn to before me, at Milan, on this 21st day of February, 1893.

[L. s.] ANTHONY RICHMAN,  
Vice and Deputy Consul of the United States of America.

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**This page was generated by the TARR system on 2010-02-15 12:12:20 ET**

**Serial Number:** 73743684 [Assignment Information](#)      [Trademark Document Retrieval](#)

**Registration Number:** 1583859

**Mark (words only):** FERNET BRANCA

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2009-12-11

**Filing Date:** 1988-07-26

**Transformed into a National Application:** No

**Registration Date:** 1990-02-20

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** (NOT AVAILABLE)

**Date In Location:** 2009-12-11

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#### LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. FRATELLI BRANCA-DISTILLERIE S.R.L.

**Address:**

FRATELLI BRANCA-DISTILLERIE S.R.L.  
VIA BROLETTO, 35  
MILANO 20121  
Italy

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Italy

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#### GOODS AND/OR SERVICES

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**International Class:** 033

**Class Status:** Active

Fratelli Branca Distillerie S.r.l. v. Branca, Inc  
Fratelli Branca Distillerie S.r.l.'s Exhibit A-2  
Renewed  
Title: Fratelli Branca's Notice of Opposition Exhibit  
Page 1 of 5

BITTERS LIQUEUR

**Basis:** 1(a)

**First Use Date:** 1865-01-01

**First Use in Commerce Date:** 1869-00-00

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**ADDITIONAL INFORMATION**

**Translation:** THE ENGLISH TRANSLATION OF "BRANCA" IN THE MARK IS "BRANCH; SECTOR; CLAW; TALON; TENTACLE".

**Prior Registration Number(s):**

23850

23877

23898

23899

270734

317759

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**MADRID PROTOCOL INFORMATION**

(NOT AVAILABLE)

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**PROSECUTION HISTORY**

**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2009-12-11 - Second renewal 10 year

2009-12-11 - Section 8 (10-year) accepted/ Section 9 granted

2009-12-11 - Case Assigned To Post Registration Paralegal

2009-12-04 - TEAS Section 8 & 9 Received

2008-12-05 - Case File In TICRS

2000-09-09 - First renewal 10 year

2000-09-09 - Section 8 (10-year) accepted/ Section 9 granted

2000-02-02 - Combined Section 8 (10-year)/Section 9 filed

1995-11-29 - Section 8 (6-year) accepted & Section 15 acknowledged

1995-04-03 - Section 8 (6-year) and Section 15 Filed

1990-02-20 - Registered - Principal Register

Fratelli Branca Distillerie S.r.l. v. Branca, Inc  
Fratelli Branca Distillerie S.r.l.'s Exhibit A-2  
Renewed  
Title: Fratelli Branca's Notice of Opposition Exhibit  
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1989-11-28 - Published for opposition  
1989-10-28 - Notice of publication  
1989-09-09 - Approved for Pub - Principal Register (Initial exam)  
1989-08-25 - Communication received from applicant  
1989-07-19 - Non-final action mailed  
1989-06-26 - Assigned To Examiner  
1989-04-03 - Communication received from applicant  
1988-10-03 - Non-final action mailed  
1988-09-14 - Assigned To Examiner  
1988-09-12 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

G. FRANKLIN ROTHWELL

**Correspondent**

G. FRANKLIN ROTHWELL  
ROTHWELL, FIGG, ERNST & MANBECK, pc  
Suite 800  
1425 K Street NW  
WASHINGTON DC 20005  
Phone Number: (202) 783-6040  
Fax Number: (202) 783-6031

**Domestic Representative**

G. Franklin Rothwell

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Fratelli Branca Distillerie S.r.l. v. Branca, Inc  
Fratelli Branca Distillerie S.r.l.'s Exhibit A-2  
Renewed  
Title: Fratelli Branca's Notice of Opposition Exhibit  
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United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 73743684 Filing Dt: 07/26/1988 Reg #: 1583859 Reg. Dt: 02/20/1990
Registrant: FRATELLI BRANCA - DISTILLERIE S.P.A.
Mark: FERNET BRANCA

Assignment: 1

Reel/Frame: 2042/0389 Received: 05/16/2000 Recorded: 03/16/2000 Pages: 2
Conveyance: CHANGE OF NAME
Assignor: FRATELLI BRANCA DISTILLERIA S.P.A. Exec Dt: 01/03/2000

Assignee: FRATELLI BRANCA DISTILLERIE S.R.L. Entity Type: CORPORATION
VIA BROLETTO 35 Citizenship: ITALY
MILANO, ITALY 20121 Entity Type: CORPORATION
Citizenship: ITALY

Correspondent: ROTHWELL, FIGG, ERNST & KURZ, P.C.
G. FRANKLIN ROTHWELL
SUITE 701 EAST TOWER
555 THIRTEENTH STREET, N.W.
WASHINGTON, D.C. 20004

Search Results as of: 02/15/2010 12:30 PM
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Web Interface last modified: October 18, 2008 v.2.0.2

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Fratelli Branca Distillerie S.r.l. v. Branca, Inc
Fratelli Branca Distillerie S.r.l.'s Exhibit A-2
Renewed
Title: Fratelli Branca's Notice of Opposition Exhibit
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**Int. Cl.: 33**

**Prior U.S. Cl.: 49**

**United States Patent and Trademark Office** **Reg. No. 1,583,859**  
**Registered Feb. 20, 1990**

**TRADEMARK  
PRINCIPAL REGISTER**

**FERNET BRANCA**

FRATELLI BRANCA - DISTILLERIE S.P.A.  
(ITALY CORPORATION)  
VIA BROLETTO 35  
MILAN, ITALY

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

FIRST USE 1-1-1865; IN COMMERCE  
0-0-1869.

OWNER OF U.S. REG. NOS. 23,850, 317,759  
AND OTHERS.

THE ENGLISH TRANSLATION OF  
"BRANCA" IN THE MARK IS "BRANCH;  
SECTOR; CLAW; TALON; TENTACLE".

SER. NO. 73-743,684, FILED 7-26-1988.

TERRY ELLEN HOLTZMAN, EXAMINING AT-  
TORNEY