Trademark Trial and Appeal Board Electronic Filing System. http://estta.uspto.gov

ESTTA Tracking number: **ESTTA789474**

Filing date: **12/15/2016**

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	12/18/2016
Address	Jaegermeisterstrasse 7-15 38296 Wolfenbuettel, 06880 GERMANY

Attorney information	Katrin Lewertoff Ferdinand IP, LLC 129 Post Road East Westport, CT 06880 UNITED STATES klewertoff@ferdinandip.com, lauras@24iplg.com Phone:2035574224

Applicant Information

Application No	86586452	Publication date	06/21/2016
Opposition Filing Date	12/15/2016	Opposition Period Ends	12/18/2016
Applicant	MILWAUKEE BUCKS, LLC 1001 North 4th Street MILWAUKEE, WI 53203 UNITED STATES		

Goods/Services Affected by Opposition

Class 020. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Toy boxes and chests, pillows and seat cushions; portable and folding stadium seats and cushions; non-metal and non-leather key rings; non-metal and non-leather key chains, tags and fobs; picture frames; hand-held mirrors; roller shades for windows with suction cups; magazine caddies; wall plaques made of wood, wall plaques made of plastic; soft sculpture wall decorations; non-metal reusable bottle caps; non-metal clips for table-cloths; wooden signboards, decorative mobiles;steel furniture; recliners, chairs and stools; tables; bean bag chairs; portable and folding sports seats and stools; furniture; juvenile furniture; bedroom furniture; clothes hangers and coat hangers; non-metal trophies; non-metal coat racks; non-metal stands for holding and displaying various types of balls; dividers for drawers; plastic figurines; plastic pet identification tags; sleeping bags; wood boxes; furniture chests; gift package decorations made of plastic; plastic flags; plastic novelty license plates;plastic name badges; non-metal name plates

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

Dilution by tarnishment	Trademark Act Sections 2 and 43(c)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)
Deceptiveness	Trademark Act Section 2(a)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3183955	Application Date	01/27/2005
Registration Date	12/12/2006	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of a circle enclosinga cross and a stag.		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 [Bath soaps and facial soaps; perfumery, cosmetics] Class 009. First use: First Use: 0 First Use In Commerce: 0 Apparatus for recording, processing, transmission and reproduction of sounds, images and data; magnetic data carriers featuring computer screen saver software,computer games or music and [phonograph records featuring music, data processing apparatus and computer; data processing computer programs] Class 011. First use: First Use: 0 First Use In Commerce: 0 Apparatus for lighting, heating and refrigerating, namely, coolers in form of drinks dispensers Class 012. First use: First Use: 0 First Use In Commerce: 0 Vehicles, namely, cars [and ships] Class 014. First use: First Use: 0 First Use In Commerce: 0 Precious metals and their alloys as well as goods of precious metals or coated therewith, namely, watches; [chains;] jewelry; [precious tones;] horologicalinstruments		

	Class 015. First use: First Use: 0 First Use In Commerce: 0 Musical instruments Class 016. First use: First Use: 0 First Use In Commerce: 0 Cardboard; photographs, stationery, [printers' type and printing blocks;] artpaper, [bond paper,] copy paper, [envelope paper,] drawing paper, photocopypaper and printing paper; cardboard boxes, cartons and containers; printed materials, namely, press releases featuring commercial and cultural activities in the promotion of alcoholic beverages; [plastic bags for packaging] Class 018. First use: First Use: 0 First Use In Commerce: 0 Leather and imitations of leather, and goods made of these materials, namely, leather bags, [suitcases, rucksacks and valets; animal skins, animal hides; trunks] and travel bags; umbrellas [, parasols and walking sticks; whips, harnesses and saddles] Class 020. First use: First Use: 0 First Use In Commerce: 0 Mirrors, picture frames; [sculptures of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastic] Class 021. First use: First Use: 0 First Use In Commerce: 0 Beverage glassware; [porcelain busts, sculptures, statuettes, figures, and figurines of plastic, ivory; desktop statuary, mugs; earthenware busts, sculptures,figures, figurines, desktop statuary and statuettes and] mugs; [earthenware or porcelain jars for jams and jellies] Class 022. First use: First Use: 0 First Use In Commerce: 0 [Robes, string, fishing nets, tents for mountain climbing and camping,] awnings, [canvas tarpaulins, sails, sacks and bags for the transportation or storageof materials in bulk] Class 024. First use: First Use: 0 First Use In Commerce: 0 Textile fabrics for the manufacture of clothing; hand towels of textile; felt and non-woven textile fabrics; [curtainsmade of textiles fabrics;] face towelsof textile materials Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing, namely, shirts, shorts, pants, jackets, [suits,] underwear, [socks, pajamas,] lingerie, sweat shirts [and sweat pants,] and headgear, namely, hats and caps; footwear Class 026. First use: First Use: 0 First Use In Commerce: 0 [Lace and embroidery, ribbons and braid;] clothing buttons, [hooks and eyes,hair pins and needles; artificial flowers] Class 027. First use: First Use: 0 First Use In Commerce: 0 Carpets, rugs, mats and matting, [linoleum for covering existing floors;] non-textile wall hangings Class 028. First use: First Use: 0 First Use In Commerce: 0 [Playing cards;] games and playthings, namely, [board games, card games,] action target games, [arcade games, arcade-type electronic education video games, amusement game machines, hand held unit for playing electronic games, mechanical and electronic action toys, children's multiple activity toys, bath toys, bendable toys and infant toys] Class 032. First use: First Use: 0 First Use In Commerce: 0 [Beers, mineral and aerated waters andother non-alcoholic drinks, namely, soft drinks, fruit drinks, fruit flavored drinks, energy drinks, sports drinks and isotonic drinks] Class 033. First use: First Use: 0 First Use In Commerce: 0 Liqueurs, namely, herbal liquors, distilled spirits Class 034. First use: First Use: 0 First Use In Commerce: 0

	[Tobacco;] smokers' articles, namely,ashtrays of non-precious metal, cigarette lighters; matches Class 035. First use: First Use: 0 First Use In Commerce: 0 Promoting the goods and services of others via electronic media and specifically the internet; [promoting the goods and services of others by means of grouping goods together in order to make the purchase of these goods easier and operating an on-line shopping mall with links to the retail websites of others; business services, namely, providing computer databases regarding the purchase and saleof a wide variety of products and services of others] Class 038. First use: First Use: 0 First Use In Commerce: 0 [Telecommunication services, namely, transmission of radio and television programs and websites by wire or wireless networks; transmission of data and files through the internet; services in the nature of transmission of news; providing multiple-user access to a global information network] Class 039. First use: First Use: 0 First Use In Commerce: 0 [Packaging and storage of goods for transportation; travel arrangement] Class 041. First use: First Use: 0 First Use In Commerce: 0 Entertainment, sporting and cultural activities, especially relating to events and festivals for music, [competitions,film, sound, video and television programs; publication of texts, books, magazines and other printed matter;] organizing exhibitions for cultural, sporting and entertainment purpose; organizing [community sporting and] cultural events; [publication of electronic magazines that contain electronic reproducible text,graphic, image and sound information,]discotheque services, entertainment, namely, performances by musical bands; presentation of live-show performances Class 043. First use: First Use: 0 First Use In Commerce: 0 Services for providing food and drink; arranging and providing temporary accommodation

U.S. Registration No.	2303099	Application Date	07/20/1995
Registration Date	12/28/1999	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 033. First use: First Use: 1935/05/27 First Use In Commerce: 1968/00/00 herbalic 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.	4694048	Application Date	03/27/2013
Registration Date	03/03/2015	Foreign Priority Date	NONE
Word Mark	JÃ#GERMEISTER PRODUCED AND BOTTLED BY MAST-JÃ#GERMEISTER SE WOLFENBÃ#TTEL GERMANY SEIT 1878		
Design Mark			
Description of Mark	The mark consists of the design of a bottle label which is rectangular in shape, the sides and bottom edges of which are straight, the corners are slightly rounded, and the upper edge is arched. The outer edge of the label is a gold outline next to which is an inner narrow band of white, next to which is a band of gradient shades of green with bright green being the dominant color and the middle section of the right and left sides of the band being dark green. Superimposed on the green band, in gold stylized letters, is the literal element "DAS 1ST DES JAGERS EHRENSCHILD, DASS ER BESCHUTZT UND HEGT SEIN WILD, WEIDMANNISCH JAGT, WIESICH'S GEHORT DEN SCHOPFER IM GESCHOEPFE EHRT" running upwards from the bottomleft corner, around the top and down tothe lower right side corner of the rectangular band. Superimposed on the bottomportion of the green band, on both the right and left side, is a gold horizontal line, which starts near the outer edgeof the green band, with a gold dot nextto the inner end of either line. Between the line and dot designs is the wording "IMPORTED HERBAL LIQUEUR" in stylized gold letters. Both the inner and outer edges of the green band are outlined in gold. A white band is next to the gold outlining the inner edge of the green bandand the inner edge of the white band isdefined by a thin gold line. The remainder of the inside of the design of the label is white. In the middle of the label, crossing from left to right, is an orange banner with gold bands outlined in black defining the upper and lower edgesof the banner. In the middle of the banner is the literal element "JAGERMEISTER" in black stylized letters with gold shadowing. Above the center of the banner,resting slightly on the body of the banner and reaching to the gold line defining the inner edge of the white band, is a circular design element with an outer gold band. At the bottom of the circulargold band are gold oak leaves reachingto the left and gold fir leaves reaching to the right. A green band with a		

	goldline inside the right and left edges ofthe band covers the bottoms of oak and fir leaves. Inside the circle, directly above the green band covering the bottomof the leaves, is a dark brown stag with white that highlights the particular characteristics of the stag. Centered between the antlers of the stag is a white Latin cross which is surrounded by gold rays which form a solid framework aroundthe cross and then radiate out nearly to the inner edge of the gold ring defining the circle shape. The background inside the circle progresses from light brown to brown to dark brown. A thin white line is between the gold outer band of the circle and the inside brown background. Below the orange banner, in upper case black letters is the wording "PRODUCEDAND" above "BOTTLED BY" which is also in all upper case black letters. Directlybelow "PRODUCED AND BOTTLED BY" is the word "MAST-" in stylized hunter green letters, under which is the wording "JAGERMEISTER SE", also in stylized hunter green font. Below "JAGERMEISTER SE" is the word "WOLFENBUTTEL" in upper case black letters which is above the word "GERMANY" also in upper case black letters. "JAGERMEISTER SE" and "WOLFENBUTTEL" are superimposed over an outline design of gold oak and fir leaves. Centered near the bottom of the label, within the white background, is an orange lengthwise rectangle with stylized left and right sides which is outlined in gold and upon which is superimposed the literal element "SEIT 1878" in gold letters and numbers. Other than as described, the color white isnot part of the mark but represents a transparent background.
Goods/Services	Class 033. First use: First Use: 2013/08/14 First Use In Commerce: 2013/08/14 Liqueurs, in particular herbal liqueurs; spirits

U.S. Registration No.	4702125	Application Date	05/10/2013
Registration Date	03/17/2015	Foreign Priority Date	NONE
Word Mark	JÃ#GERMEISTER SPICE Â·CINNAMON & VANILLA BLENDÂ· MAST-JÃ#GERMEISTER SE WOLFENBÃ#TTEL GERMANY IMPORTED HERBAL LIQUEUR SEASONAL OFFER		
Design Mark			
Description of Mark	The mark consists of a three-dimensional container for the goods, namely, a three-dimensional brown bottle with four rectangular sides, the front and back being wider across than the right and left sides of the bottle. All of the sides		

	curve up from the upper edges of the sides to form the neck of the bottle. The outer shape of the cap of the bottle appearsin dotted lines and is not being claimed as a feature of the mark. The word "JÃ#GERMEISTER" is imbedded on both the right and left sides of the bottle and a label is embossed on the front of the bottle. At the top of the label is a circulardesign which is defined by an incomplete white outline of a circle, at the baseof which is a stylized grouping of goldoak leaves and gold fir leaves, the defining details of which are brown in color. The bundle of leaves is bound in the center by a dark gold band. Directly above the center of the oak leaves and fir leaves and within the white circle is the head of a stag which is dark brown in color with highlights in white to indicate the particular characteristics of thestag. Centered between the antlers of the stag is a white Latin cross which hasa multitude of thin white lines radiating from it, nearly to the edge of the white circular border, leaving a thin bandof brown next to both the cross and thewhite circular border. A gold line thatis slightly curved downward at either end crosses the bottle from side to side,through parts of the oak leaves and firleaves and through the lengthwise middle of the dark gold band. Directly beneath the gold line is the literal element "JÃ#GERMEISTER" in stylized white letters.Beneath "JÃ#GERMEISTER" is a gold line with decorative curves at either end of the line. Centered beneath the gold line with decorative curved ends is the word "SPICE" in upper case white letters. Below "SPICE" is the literal element "CINNAMON & VANILLA BLEND" in gothic stylized gold letters with a small gold diamond design on either side. Directly below "CINNAMON & VANILLA BLEND" is a stylized grouping of vanilla beans and flowers, cinnamon sticks, an apple and a pear, all of which white with brown highlights for dimension and details. Centered below the vanilla beans, flowers, cinnamon sticks and fruit design is the word "MAST", in gold stylized letters under which is the literal element "JÃ#GERMEISTER SE", also in stylized gold font. Below "JÃ#GERMEISTER SE" is the word "WOLFENBÃ#TTEL" in gold upper case letters which is above the word "GERMANY" in gold upper case letters. Beneath all of the foregoing is a solid gold elongated hexagon design fromwhich the outward pointing left and right ends have thin gold lines emanating and in the middle of which is superimposed in stylized brown letters the literal element "IMPORTED HERBAL LIQUEUR". As the entirety of the bottle is brown in color, the background showing through the elements of the mark, unless otherwise identified, is brown.
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

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 GEGRUNDET IM JAHRE 1878 DAS IST DES JAGERS EHRENSCHILD,DASS ER BESCHUTZT UND HEGT SEIN WILD, WEIDMANNISCH JAGT, WIE SICH'S GEHORT, DENSCHOPFER 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 CARAMEL COLOR ADDED ONE LITER 35% ALC. BY VOL. (70 PROOF)PRODUCED AND BOTTLED BY AG WOLFENBUTTELWESTERN GERMANY GEGRUNDET IM JAHRE 1878SERVE 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.	3051959	Application Date	03/01/2001
Registration Date	01/31/2006	Foreign Priority Date	NONE
Word Mark	JAGERMEISTER AUSZUG EDELSTER KRAEUTER KRAEUTER LIQUEUR CARAMEL COLOR ADDED 1,75LITER 35% ALC. BY VOL. (70 PROOF) PRODUCED AND BOTTLED BY MAST-JAEGERMEISTER AGWOLFENBUETTEL, WESTERN GERMANY GEGRUENDET IM JAHRE 1878 DAS IST DES JAEGERS 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		

Design Mark	
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 foran alcoholic beverage. In the center of the label, under the term JAEGERMEISTER, the following wording appears: AUSZUGEDELSTER KRAEUTER, followed by KRAEUTERLIQUEUR and CARAMEL COLOR ADDED 1,75 LITER 35% ALC. BY VOL. (70 PROOF) PRODUCEDAND 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 JAEGERS EHRENSCHILD, DASS ER BESCHUETZT UND HEGTSEIN 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.
Goods/Services	Class 033. First use: First Use: 2001/01/05 First Use In Commerce: 2001/01/05 Liqueurs, specifically herbalic liqueurs

Related Proceedings	91231632

Attachments	79009630#TMSN.png(bytes) 74708987#TMSN.png(bytes) 72271633#TMSN.png(bytes) 85887609#TMSN.png(bytes) 85929030#TMSN.png(bytes) 74562742#TMSN.png(bytes) 75197319#TMSN.png(bytes) 76218397#TMSN.png(bytes) JAG045USL NOO notice of opposition Milwaukee Bucks Class 20.pdf(44603 bytes) JAG deer head regs 12-15-16.pdf(140705 bytes)

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	12/15/2016

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

IN THE MATTER OF APPLICATION

Applicant: Milwaukee Bucks, LLC
Serial No.: 86586452
Mark: MILWAUKEE BUCKS & Design in Class 20

Published in the
Official Gazette: *June 21, 2016*

MAST-JAEGERMEISTER SE,

Opposer,

v.

MILWAUKEE BUCKS, LLC,

Applicant.

Opposition No.

NOTICE OF OPPOSITION

Mast-Jaegermeister SE ("Opposer"), a European company duly organized and existing under the laws of Germany, and having its principal place of business at Jaegermeisterstrasse 7-15, 38296 Wolfenbuettel, Germany, believes it will be damaged by the registration of the MILWAUKEE BUCKS & Design mark as shown in Application Serial No. 86586452, filed on April 3, 2015, in International Class 20 for "Toy boxes and chests, pillows and seat cushions; portable and folding stadium seats and cushions; non-metal and non-leather key rings; non-metal

and non-leather key chains, tags and fobs; picture frames; hand-held mirrors; roller shades for windows with suction cups; magazine caddies; wall plaques made of wood, wall plaques made of plastic; soft sculpture wall decorations; non-metal reusable bottle caps; non-metal clips for tablecloths; wooden signboards, decorative mobiles; steel furniture; recliners, chairs and stools; tables; bean bag chairs; portable and folding sports seats and stools; furniture; juvenile furniture; bedroom furniture; clothes hangers and coat hangers; non-metal trophies; non-metal coat racks; non-metal stands for holding and displaying various types of balls; dividers for drawers; plastic figurines; plastic pet identification tags; sleeping bags; wood boxes; furniture chests; gift package decorations made of plastic; plastic flags; plastic novelty license plates; plastic name badges; non-metal name plates", and published in the Official Gazette on June 21, 2016, 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 containing or comprising of a DEER HEAD DESIGN ("DEER HEAD Marks"), which have been used for a variety of goods and services including, but not limited to, entertainment services.

2. Since long prior to April 3, 2015, or any other priority date that Applicant may claim, Opposer has continuously used its DEER HEAD Marks in commerce.

3. Opposer has established exclusive rights in the DEER HEAD Marks through use in commerce in the United States.

4. In addition, Opposer owns the following valid trademark registrations for the DEER HEAD Marks, issued by the United States Patent and Trademark Office ("USPTO"):

(a) Incontestable U.S. Registration No. 3183955 duly and legally issued on December 12, 2006 on the Principal Register of the Patent and Trademark Office for the mark DEER HEAD Design as applied to various goods and services in Int. Classes 9, 11, 12, 14, 15, 16, 18, 20, 21, 22, 24, 25, 26, 27, 28, 33, 34, 35, 41, and 43.

(b) Incontestable U.S. Registration No. 2303099 duly and legally issued on December 28, 1999 on the Principal Register of the Patent and Trademark Office for the mark DEER HEAD Design as applied to "herbalic liqueurs" in Int. Class 33.

(c) Incontestable U.S. Registration No. 0861094 duly and legally issued on November 26, 1968 on the Principal Register of the Patent and Trademark Office for the mark DEER HEAD Design as applied to “liqueurs, specifically herbalic liqueurs” in Int. Class 24.

(d) U.S. Registration No. 4694048 duly and legally issued on March 3, 2015 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER PRODUCED AND BOTTLED BY MAST-JÄGERMEISTER SE WOLFENBÜTTEL GERMANY SEIT 1878 & Design as applied to "liqueurs, in particular herbal liqueurs; spirits” in Int. Class 33.

(e) U.S. Registration No. 4702125 duly and legally issued on March 17, 2015 on the Principal Register of the Patent and Trademark Office for the mark JÄGERMEISTER SPICE CINNAMON etc. & Design as applied to "bitter liqueurs, semi-bitter liqueurs and herbal liqueurs; spirits" in Int. Class 33.

(f) 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 JAGERMEISTER AUSZUG EDELSTER etc. & Design as applied to "herbalic liqueurs" in Int. Class 33.

(g) 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 JAGERMEISTER KRAUTER etc. & Design as applied to “distilled spirits” in Int. Class 33.

(h) 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 JAGERMEISTER AUSZUG etc. & Design as applied to "liqueurs, specifically herbalic 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 DEER HEAD Marks before Applicant applied to register its alleged MILWAUKEE BUCKS & Design mark.

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 DEER HEAD Marks.

LIKELIHOOD OF CONFUSION - § 2(d)

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

9. The goods of Applicant are so related to the goods sold under Opposer's DEER HEAD Marks that the public is likely to be confused, to be deceived and to assume erroneously

that Applicant's goods 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.

10. Likelihood of confusion in this case is enhanced by the extraordinary fame of Opposer's DEER HEAD 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 goods are prospective purchasers of products and services sold under Opposer's DEER HEAD Marks.

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

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

12. Applicant's alleged mark so closely resembles Opposer's DEER HEAD 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 goods sold under Applicant's alleged mark are connected with Opposer.

13. If Applicant's alleged mark is used on goods 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 goods by permitting Applicant to use said mark.

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

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

16. 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 goods will attribute those defects to Opposer and this will injure Opposer's reputation and goodwill.

DILUTION - §43(c)

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

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

13. The MILWAUKEE BUCKS deer head design shown in Applicant's application will cause dilution of the distinctive quality of Opposer's DEER HEAD Marks.

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

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

16. Applicant's use or registration of its alleged mark for the services listed in its application will tarnish the goodwill symbolized by Opposer's DEER HEAD Marks.

17. 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 goods will attribute those defects to Opposer.

18. 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: December 15, 2016

By: /Katrin Lewertoff/
Katrin Lewertoff
Ferdinand IP, LLC
129 Post Road East
Westport, CT 06880
(203) 557-4224

Attorney for Opposer
MAST-JAEGERMEISTER SE

CERTIFICATE OF SERVICE

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

Anil V. George
NBA PROPERTIES, INC.
645 FIFTH AVE
NEW YORK, NEW YORK 10022

Date: December 15, 2016

/Katrin Lewertoff/
Katrin Lewertoff

TESS was last updated on Thu Dec 15 03:33:12 EST 2016

Record 1 out of 1

Goods and Services

(CANCELLED) IC 003. US 001 004 006 050 051 052. G & S: [Bath soaps and facial soaps; perfumery, cosmetics]

IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, processing, transmission and reproduction of sounds, images and data; magnetic data carriers featuring computer screen saver software, computer games or music and [phonograph records featuring music, data processing apparatus and computer; data processing computer programs]

IC 011. US 013 021 023 031 034. G & S: Apparatus for lighting, heating and refrigerating, namely, coolers in form of drinks dispensers

IC 012. US 019 021 023 031 035 044. G & S: Vehicles, namely, cars [and ships]

IC 014. US 002 027 028 050. G & S: Precious metals and their alloys as well as goods of precious metals or coated therewith, namely, watches; [chains;] jewelry; [precious tones;] horological instruments

IC 015. US 002 021 036. G & S: Musical instruments

IC 016. US 002 005 022 023 029 037 038 050. G & S: Cardboard; photographs, stationery, [printers' type and printing blocks;] art paper, [bond paper,] copy paper, [envelope paper,] drawing paper, photocopy paper and printing paper; cardboard boxes, cartons and containers; printed materials, namely, press releases featuring commercial and cultural activities in the promotion of alcoholic beverages; [plastic bags for packaging]

IC 018. US 001 002 003 022 041. G & S: Leather and imitations of leather, and goods made of these materials, namely, leather bags, [suitcases, rucksacks and valets; animal skins, animal hides; trunks] and travel bags; umbrellas [, parasols and walking sticks; whips, harnesses and saddles]

IC 020. US 002 013 022 025 032 050. G & S: Mirrors, picture frames; [sculptures of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastic]

IC 021. US 002 013 023 029 030 033 040 050. G & S: Beverage glassware; [porcelain busts, sculptures, statuettes, figures, and figurines of plastic, ivory; desktop statuary, mugs; earthenware busts, sculptures, figures, figurines, desktop statuary and statuettes and] mugs; [earthenware or porcelain jars for jams and jellies]

IC 022. US 001 002 007 019 022 042 050. G & S: [Robes, string, fishing nets, tents for mountain climbing and camping,] awnings, [canvas tarpaulins, sails, sacks and bags for the transportation or storage of materials in bulk]

IC 024. US 042 050. G & S: Textile fabrics for the manufacture of clothing; hand towels of textile; felt and non-woven textile fabrics; [curtains made of textiles fabrics;] face towels of textile materials

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

IC 026. US 037 039 040 042 050. G & S: [Lace and embroidery, ribbons and braid;] clothing buttons, [hooks and eyes, hair pins and needles; artificial flowers]

IC 027. US 019 020 037 042 050. G & S: Carpets, rugs, mats and matting, [linoleum for covering existing floors;] non-textile wall hangings

IC 028. US 022 023 038 050. G & S: [Playing cards;] games and playthings, namely, [board games, card games,] action target games, [arcade games, arcade-type electronic education video games, amusement game machines, hand held unit for playing electronic games, mechanical and electronic action toys, children's multiple activity toys, bath toys, bendable toys and infant toys]

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

IC 033. US 047 049. G & S: Liqueurs, namely, herbal liquors, distilled spirits

IC 034. US 002 008 009 017. G & S: [Tobacco;] smokers' articles, namely, ashtrays of non-precious metal, cigarette lighters; matches

IC 035. US 100 101 102. G & S: Promoting the goods and services of others via electronic media and specifically the internet; [promoting the goods and services of others by means of grouping goods together in order to make the purchase of these goods easier and operating an on-line shopping mall with links to the retail websites of others; business services, namely, providing computer databases regarding the purchase and sale of a wide variety of products and services of others]

(CANCELLED) IC 038. US 100 101 104. G & S: [Telecommunication services, namely, transmission of radio and television programs and websites by wire or wireless networks; transmission of data and files through the internet; services in the nature of transmission of news; providing multiple-user access to a global information network]

(CANCELLED) IC 039. US 100 105. G & S: [Packaging and storage of goods for transportation; travel arrangement]

IC 041. US 100 101 107. G & S: Entertainment, sporting and cultural activities, especially relating to events and festivals for music, [competitions, film, sound, video and television programs; publication of texts, books, magazines and other printed matter;] organizing exhibitions for cultural, sporting and entertainment purpose; organizing [community sporting and] cultural events; [publication of electronic magazines that contain electronic reproducible text, graphic, image and sound information,] discotheque services, entertainment, namely, performances by musical bands; presentation of live-show performances

IC 043. US 100 101. G & S: Services for providing food and drink; arranging and providing temporary accommodation

Mark Drawing Code	(2) DESIGN ONLY
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 03.07.24 - Stylized bovines, deer, antelopes, goats, sheep, pigs, cows, bulls, buffalo, moose 03.13.02 - Bones (animals, four-footed mammals); Skeletons (animals, four-footed mammals); Skulls (animals, four-footed mammals) 24.13.25 - Cross, ankh; Cross, Maltese; Other crosses, including ankh, Maltese 26.01.02 - Circles, plain single line; Plain single line circles 26.01.12 - Circles with bars, bands and lines
Serial Number	79009630
Filing Date	January 27, 2005
Current Basis	66A
Original	

Filing Basis	66A
Published for Opposition	April 11, 2006
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	**3183955**
International Registration Number	0795174
Registration Date	December 12, 2006
Owner	(REGISTRANT) Mast-Jägermeister SE JOINT STOCK COMPANY FED REP GERMANY Jägermeisterstrasse 7-15 38296 Wolfenbüttel FED REP GERMANY
Attorney of Record	Katrin Lewertoff
Description of Mark	The mark consists of a circle enclosing a cross and a stag.
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECTION 71
Live/Dead Indicator	LIVE

TESS was last updated on Thu Dec 15 03:33:12 EST 2016

Record 1 out of 1

Goods and Services	IC 033. US 047 049. G & S: herbalic liqueurs. FIRST USE: 19350527. FIRST USE IN COMMERCE: 19680000
Mark Drawing Code	(2) DESIGN ONLY
Design Search Code	01.15.25 - Coal; Dust; Light rays; Liquids, spilling; Pouring liquids; Sand; Spilling liquids 05.03.10 - Other branches with leaves, with or without fruit 05.07.07 - Acorns 13.01.13 - Bulbs, electric light and flash; Flashbulbs; Fluorescent lights; Light bulbs, electric 20.03.10 - Bottle labels; Labels for bottles 24.13.25 - Cross, ankh; Cross, Maltese; Other crosses, including ankh, Maltese 26.01.07 - Circles with a decorative border, including scalloped, ruffled and zig-zag edges 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles 26.01.21 - Circles that are totally or partially shaded.
Serial Number	74708987
Filing Date	July 20, 1995
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	July 2, 1996
Registration Number	**2303099**
Registration Date	December 28, 1999
Owner	(REGISTRANT) Mast-Jagermeister AG CORPORATION FED REP GERMANY JAEGERMEISTERSTRASSE7-15 38296 WOLFENBUETTREL 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
Prior Registrations	0861094
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE the representation of the crucifix APART FROM THE MARK AS SHOWN
Description of Mark	The lining and stippling are features of the mark and do not intend to indicate color.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090615.
Renewal	1ST RENEWAL 20090615
Live/Dead Indicator	LIVE

TESS HOME | NEW USER | STRUCTURED | FREE FORM | BROWSE DICT | SEARCH OG | TOP | HELP

| HOME | SITE INDEX | SEARCH | *e*BUSINESS | HELP | PRIVACY POLICY

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Dec 15 03:33:12 EST 2016

Record 1 out of 1

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

TESS was last updated on Thu Dec 15 03:33:12 EST 2016

Record 1 out of 1

Word Mark	JÄGERMEISTER PRODUCED AND BOTTLED BY MAST-JÄGERMEISTER SE WOLFENBÜTTEL GERMANY SEIT 1878
Translations	The English translation of the word "JÄGERMEISTER" in the mark is "master of the hunt", the translation of the word "SEIT" in the mark is "since", and the translation of the wording around the border of the label "DAS IST DES JÄGERS EHRENSCHILD, DASS ER BESCHÜTZT UND HEGT SEIN WILD, WEIDMÄNNISCH JAGT, WIE SICH'S GEHÖRT DEN SCHÖPFER IM GESCHOEPFE EHRT" in the mark is "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, in particular herbal liqueurs; spirits. FIRST USE: 20130814. FIRST USE IN COMMERCE: 20130814
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 03.07.07 - Caribou; Deer, elk, reindeer, fawns, antelopes, moose, gazelles; Fawns; Gazelle; Impala 03.07.08 - Antelopes; Heads of deer, elk, reindeer, fawns, antelopes, moose, gazelles 05.15.02 - Laurel leaves or branches (borders or frames); Wreaths 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. 26.11.20 - Rectangles inside one another 26.11.25 - Rectangles with one or more curved sides
Serial Number	85887609
Filing Date	March 27, 2013
Current Basis	1A
Original Filing Basis	44E
Published for	August 26, 2014

Opposition	
Registration Number	**4694048**
Registration Date	March 3, 2015
Owner	(REGISTRANT) Mast-Jaegermeister SE societas europae (se) FED REP GERMANY Jaegermeisterstrasse 7-15 38296 Wolfenbuettel FED REP GERMANY
Attorney of Record	Katrin Lewertoff and Michael A. Grow
Prior Registrations	0857604;1952558;3183955;AND OTHERS
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PRODUCED AND BOTTLED BY", "SE", "SEIT 1878", "WOLFENBÜTTEL GERMANY" AND "IMPORTED HERBAL LIQUEUR" APART FROM THE MARK AS SHOWN
Description of Mark	The color(s) bright green, green, dark green, hunter green, orange, gold, light brown, brown, dark brown, black, and white is/are claimed as a feature of the mark. The mark consists of the design of a bottle label which is rectangular in shape, the sides and bottom edges of which are straight, the corners are slightly rounded, and the upper edge is arched. The outer edge of the label is a gold outline next to which is an inner narrow band of white, next to which is a band of gradient shades of green with bright green being the dominant color and the middle section of the right and left sides of the band being dark green. Superimposed on the green band, in gold stylized letters, is the literal element "DAS 1ST DES JAGERS EHRENSCHILD, DASS ER BESCHUTZT UND HEGT SEIN WILD, WEIDMANNISCH JAGT, WIE SICH'S GEHORT DEN SCHOPFER IM GESCHOEPFE EHRT" running upwards from the bottom left corner, around the top and down to the lower right side corner of the rectangular band. Superimposed on the bottom portion of the green band, on both the right and left side, is a gold horizontal line, which starts near the outer edge of the green band, with a gold dot next to the inner end of either line. Between the line and dot designs is the wording "IMPORTED HERBAL LIQUEUR" in stylized gold letters. Both the inner and outer edges of the green band are outlined in gold. A white band is next to the gold outlining the inner edge of the green band and the inner edge of the white band is defined by a thin gold line. The remainder of the inside of the design of the label is white. In the middle of the label, crossing from left to right, is an orange banner with gold bands outlined in black defining the upper and lower edges of the banner. In the middle of the banner is the literal element "JAGERMEISTER" in black stylized letters with gold shadowing. Above the center of the banner, resting slightly on the body of the banner and reaching to the gold line defining the inner edge of the white band, is a circular design element with an outer gold band. At the bottom of the circular gold band are gold oak leaves reaching to the left and gold fir leaves reaching to the right. A green band with a gold line inside the right and left edges of the band covers the bottoms of oak and fir leaves. Inside the circle, directly above the green band covering the bottom of the leaves, is a dark brown stag with white that highlights the particular characteristics of the stag. Centered between the antlers of the stag is a white Latin cross which is surrounded by gold rays which form a solid framework around the cross and then radiate out nearly to the inner edge of the gold ring defining the circle shape. The background inside the circle progresses from light brown to brown to dark brown. A thin white line is between the gold outer band of the circle and the inside brown background. Below the orange banner, in upper case black letters is the wording "PRODUCED AND" above "BOTTLED BY" which is also in all upper case black letters. Directly below "PRODUCED AND BOTTLED BY" is the word "MAST-" in stylized hunter green letters, under which is the wording "JAGERMEISTER SE", also in stylized hunter green font. Below "JAGERMEISTER SE" is the word "WOLFENBUTTEL" in upper case black letters which is above the word "GERMANY" also in upper case black letters. "JAGERMEISTER SE" and "WOLFENBUTTEL" are superimposed over an outline design of gold oak and fir leaves. Centered near the bottom of the label, within the white background, is an orange lengthwise rectangle with stylized left and right sides which is outlined in gold and upon which is superimposed the literal element "SEIT 1878" in gold letters and numbers. Other than as described, the color white is not part of the mark but represents a transparent background.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Dec 15 03:33:12 EST 2016

Record 1 out of 1

Word Mark	JÄGERMEISTER SPICE ·CINNAMON & VANILLA BLEND· MAST- JÄGERMEISTER SE WOLFENBÜTTEL GERMANY IMPORTED HERBAL LIQUEUR SEASONAL OFFER
Translations	The English translation of "JÄGERMEISTER" in the mark is "master of the hunt".
Goods and Services	IC 033. US 047 049. G & S: Bitter liqueurs, semi-bitter liqueurs and herbal liqueurs; spirits. FIRST USE: 20130710. FIRST USE IN COMMERCE: 20130710
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	03.07.01 - Cattle; Oxen, cows, calves, bulls; Steers 03.07.03 - Heads of oxen, cows, calves, bulls 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 20.03.10 - Bottle labels; Labels for bottles 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)
Serial Number	85929030
Filing Date	May 10, 2013
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	December 30, 2014
Registration Number	**4702125**
Registration Date	March 17, 2015
Owner	(REGISTRANT) Mast-Jaegermeister SE societas europae (se) FED REP GERMANY Jaegermeisterstrasse 7-15 38296 Wolfenbuettel FED REP GERMANY
Attorney of Record	Katrin Lewertoff
Prior	

Registrations	0857604;2165258;2970791;AND OTHERS
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SPICE" AND "CINNAMON & VANILLA BLEND" AND "SE" AND "WOLFENBÜTTEL GERMANY" AND "IMPORTED HERBAL LIQUEUR" APART FROM THE MARK AS SHOWN
Description of Mark	The color(s) gold, dark gold, brown, dark brown and white is/are claimed as a feature of the mark. The mark consists of a three-dimensional container for the goods, namely, a three-dimensional brown bottle with four rectangular sides, the front and back being wider across than the right and left sides of the bottle. All of the sides curve up from the upper edges of the sides to form the neck of the bottle. The outer shape of the cap of the bottle appears in dotted lines and is not being claimed as a feature of the mark. The word "JÄGERMEISTER" is imbedded on both the right and left sides of the bottle and a label is embossed on the front of the bottle. At the top of the label is a circular design which is defined by an incomplete white outline of a circle, at the base of which is a stylized grouping of gold oak leaves and gold fir leaves, the defining details of which are brown in color. The bundle of leaves is bound in the center by a dark gold band. Directly above the center of the oak leaves and fir leaves and within the white circle is the head of a stag which is dark brown in color with highlights in white to indicate the particular characteristics of the stag. Centered between the antlers of the stag is a white Latin cross which has a multitude of thin white lines radiating from it, nearly to the edge of the white circular border, leaving a thin band of brown next to both the cross and the white circular border. A gold line that is slightly curved downward at either end crosses the bottle from side to side, through parts of the oak leaves and fir leaves and through the lengthwise middle of the dark gold band. Directly beneath the gold line is the literal element "JÄGERMEISTER" in stylized white letters. Beneath "JÄGERMEISTER" is a gold line with decorative curves at either end of the line. Centered beneath the gold line with decorative curved ends is the word "SPICE" in upper case white letters. Below "SPICE" is the literal element "CINNAMON & VANILLA BLEND" in gothic stylized gold letters with a small gold diamond design on either side. Directly below "CINNAMON & VANILLA BLEND" is a stylized grouping of vanilla beans and flowers, cinnamon sticks, an apple and a pear, all of which white with brown highlights for dimension and details. Centered below the vanilla beans, flowers, cinnamon sticks and fruit design is the word "MAST", in gold stylized letters under which is the literal element "JÄGERMEISTER SE", also in stylized gold font. Below "JÄGERMEISTER SE" is the word "WOLFENBÜTTEL" in gold upper case letters which is above the word "GERMANY" in gold upper case letters. Beneath all of the foregoing is a solid gold elongated hexagon design from which the outward pointing left and right ends have thin gold lines emanating and in the middle of which is superimposed in stylized brown letters the literal element "IMPORTED HERBAL LIQUEUR". As the entirety of the bottle is brown in color, the background showing through the elements of the mark, unless otherwise identified, is brown.
Type of Mark	TRADEMARK
Register	PRINCIPAL-2(F)-IN PART
Live/Dead Indicator	LIVE
Distinctiveness Limitation Statement	as to the bottle design in the mark

TESS was last updated on Thu Dec 15 03:33:12 EST 2016

Record 1 out of 1

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) 20151231.
Renewal	2ND RENEWAL 20151231
Live/Dead Indicator	LIVE

TESS was last updated on Thu Dec 15 03:33:12 EST 2016

Record 1 out of 1

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	March 24, 1998

Opposition	
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"; "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"; 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

TESS HOME | NEW USER | STRUCTURED | FREE FORM | BROWSE DICT | SEARCH OG | TOP | HELP

| HOME | SITE INDEX | SEARCH | eBUSINESS | HELP | PRIVACY POLICY

TESS was last updated on Thu Dec 15 03:33:12 EST 2016

Record 1 out of 1

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 JAEGERS 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 JAEGERS 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 herbalic 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	November 8, 2005

Opposition	
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
Attorney of Record	Katrin Lewertoff
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; 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 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 CARAMEL 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 JAEGERS 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). SECTION 8(10-YR) 20160326.
Renewal	1ST RENEWAL 20160326
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