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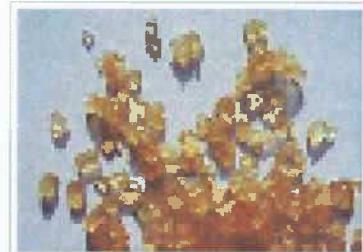
| | |
|------------------------|--|
| Proceeding | 92048266 |
| Party | Plaintiff Marquez Brothers International, Inc. |
| Correspondence Address | Gregory N. Owen Owen, Wickersham & Erickson, P.C. 455 Market Street, Suite 1910 San Francisco, CA 94105 UNITED STATES gowen@owe.com |
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| Date | 07/06/2009 |
| Attachments | Exhibits1-7-Reply 2008 0706.pdf (25 pages)(2926883 bytes) |

Exhibit 1

Brown sugar

From Wikipedia, the free encyclopedia

Brown sugar is a sucrose sugar product with a distinctive brown color due to the presence of molasses. It is either an unrefined or partially refined soft sugar consisting of sugar crystals with some residual molasses content or produced by the addition of molasses to refined white sugar.



Brown sugar crystals.

Brown sugar contains from 3.5% molasses (**light brown sugar**) to 6.5% molasses (**dark brown sugar**). The product is naturally moist from the hygroscopic nature of the molasses and is often labelled as "soft." The product may undergo processing to give a product that flows better for industrial handling. The addition of dyes and/or other chemicals may be permitted in some areas or for industrial products.

Particle size is variable but generally less than granulated white sugar. Products for industrial use (e.g. the industrial production of cakes) may be based on caster sugar which has crystals of approximately 0.35 mm.

Contents

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Manufacture

Many brown sugar producers produce brown sugar by adding cane molasses to completely refined white sugar crystals in order to more carefully control the ratio of molasses to sugar crystals and to reduce manufacturing costs. This also allows the production of brown sugars to be based predominantly on beet sugar. Brown sugar prepared in this manner is often much coarser than its unrefined equivalent and its molasses may be easily separated from the crystals by simple washing to reveal the underlying white sugar crystals; with unrefined brown there is inclusion of molasses within the crystal which will appear off-white if washed. This is mainly done for inventory control and convenience.

The molasses usually used is that obtained from sugar cane, because the flavor is generally preferred over beet sugar molasses. Although in some areas, especially in the Netherlands, sugar beet molasses is used. The white sugar used can be from either beet or cane as odour and color differences will be covered by the molasses.

Brown sugar can be made at home by mixing white granulated sugar with molasses, using one tablespoon of molasses for every cup of white sugar (one-sixteenth or 6.25% of the total volume). Thorough blending will yield dark brown sugar; for light brown sugar, between one and two teaspoons of molasses per cup should be used instead. It is, however, simpler to substitute molasses for an equal

portion of white sugar while cooking, without mixing them separately.

When a recipe calls for "brown sugar" it is usually referring to light brown sugar; dark brown sugar should be used only when specified. This is relevant primarily when baking recipes sensitive to moisture and density (such as cakes), because of the difference in moisture content between the two types. In other applications, substituting dark brown sugar over light brown will yield a deeper flavor with more caramel, much like adding molasses would do.

Nutritional value

Brown sugar has a slightly lower caloric value by weight than white sugar due to the presence of water. One hundred grams of brown sugar contains 373 calories, as opposed to 396 calories in white sugar.^[1] However, brown sugar packs more densely than white sugar due to the smaller crystal size and may have more calories when measured by volume. One tablespoon of brown sugar has 48 calories against 45 calories for white sugar^[2]

John Yudkin, in his studies (cited in "Pure, White and Deadly" - UK title) that rats fed brown sugar, as opposed to white sugar, suffered all the same ills from such consumption as did the control group fed white sugar, while their offspring did not exhibit the same abnormalities related to the offspring of the rats fed on white sugar. This led to the conclusion that there are some trace nutritional aspects he was unable to detect in brown sugar that made it less harmful than white sugar, though the impact could only be detected in their offspring. Nutritionally, apart from pure carbohydrate, he was not able to detect any nutritional component to white or brown sugar, and such pure carbohydrate is on the list to avoid in the World Health Organization and FAO study [1] (<http://www.fao.org/docrep/005/AC911E/ac911e07.htm#bm07.1.3>) on obesity and chronic preventable diseases. Note this study does state that carbohydrates in their *intrinsic* or *unrefined* form are nutritionally highly beneficial and should make up 55-75% of our diet, but they are fundamentally different from *extrinsic* carbohydrates such as both white and brown sugar.

History

In the late 1800s, the newly consolidated refined white sugar industry, which did not have full control over brown sugar production, mounted a smear campaign against brown sugar, reproducing microscopic photographs of harmless but repulsive-looking microbes living in brown sugar. The effort was so successful that by 1900, a best-selling cookbook warned that brown sugar was of inferior quality and was susceptible to infestation by "a minute insect."^[3]

Natural brown sugar

Natural brown sugar is a name for **raw sugar** which is a brown sugar produced from the first crystallisation of the sugar cane. As such "natural brown sugar" is free of additional dyes and chemicals. There is more molasses in natural brown sugar, giving it a higher mineral content. Some natural brown sugars have particular names and characteristics, and are sold as Turbinado sugar, Muscovado, or Demerara sugar.

Turbinado sugar is made by crushing freshly cut sugar cane to obtain a juice, which is heated and evaporated to a thick syrup, which is then crystallized. The crystals are then spun in a centrifuge (thus "turbin-") to remove the excess juice, resulting in the characteristic large, light brown, crystals.^{[4][5]}

Muscovado (also moscovado) is an unrefined, dark brown sugar that is produced without centrifuging and has much smaller crystals than turbinado sugar. The sugar cane extract is heated to thicken it and then pan-evaporated in the sun and pounded to yield an unprocessed, damp sugar that retains all of the natural minerals.^[6]

Demerara (also spelled "demerera") sugar's name comes from the Demerara River area of Guyana, where sugar cane was grown. Demerara is another unrefined, centrifuged, large-crystallized, light brown, cane sugar; it is slightly sticky and sometimes molded into sugar cubes. Some Demerara is still produced in South America, but most is now produced in Mauritius, an island off Africa.



A measuring cup containing muscovado (left); on the right is a measuring cup containing regular (light) brown sugar.

References

1. ^ New Scientist. I'm Sweet Enough (<http://www.newscientist.com backpage.ns?id=mg18925352.300>) 21 January 2006
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6. ^ "This is how Muscovado Sugar is made." (http://www.wildernessfamilynaturals.com/muscovado_sugar.htm#sugarmade). http://www.wildernessfamilynaturals.com/muscovado_sugar.htm#sugarmade. Retrieved on 2008-09-20.

External links

- Usenet posting about sugar refining techniques (http://yarchive.net/food/brown_sugar.html)
- British Sugar - Brown sugar products (<http://www.britishsugar.co.uk/RVE45ab7523614a40cc9e5fcb3e40ccb7f6,,.aspx>)

Retrieved from "http://en.wikipedia.org/wiki/Brown_sugar"

Categories: Sugar

Hidden categories: All articles with unsourced statements | Articles with unsourced statements from August 2007

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Brown sugar gets its distinctive color and flavor from the presence of molasses. It may be either unrefined or partially refined, so that it naturally retains molasses, or it may be produced by adding molasses to refined white sugar. The latter method is more common in commercial brown sugar. In addition to its brown color and rich flavor, brown sugar differs from white sugar in its consistency, which is finer, softer, and moister.

Natural brown sugar, or raw sugar, is unrefined and minimally processed, produced from the first crystallization of sugar cane juice. It gets its color and flavor from the sugar cane itself, rather than from any additional ingredients. Natural brown sugar is often darker and has a stronger molasses taste than other types of brown sugar, and it also contains more minerals. Raw sugar from different parts of the world often takes on the unique taste of the plants it is extracted from.

Most brown sugar for sale in supermarkets is simply refined sugar with molasses added. The amount of molasses determines whether the sugar is light brown sugar or dark brown sugar - consisting of 3.5% and 6.5% molasses respectively. The type of brown sugar used in a recipe is usually a matter of personal preference.

Brown sugar is notorious for clumping after the package is opened and has been on the shelf for a while, as it begins to dry out. This can be prevented by keeping it in an airtight container. However, if your brown sugar is hard as a brick, you can restore it to a usable consistency by placing it in a tightly sealed container with an apple wedge for one to three days. Alternatively, you can purchase a terracotta disk at many kitchen supply stores that will keep your brown sugar free flowing, or you can liquefy brown sugar in the microwave before adding it to a recipe. If all these methods are too much trouble for you, you can now buy brown sugar in granulated or liquid form, neither of which will ever clump.

Related wiseGEEK articles

- [What is Sugar Syrup?](#)
- [What Should I Know About Sugar Intake?](#)
- [What Is Dark Brown Sugar?](#)
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- [What Can I do about Hard Brown Sugar?](#)
- [What are Sugar Mills?](#)
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Hardening is a common problem. To restore, spread on a foil-lined cookie sheet and bake for about five minutes in a 250-degree oven. You can also add a slice of bread or piece of [apple](#) - in a separate unsealed bag - to the container and leave for two days.

Usage Tips

- Brown sugars are not just for sweet recipes. They are used in such [savory](#) foods as baked beans and barbecue sauces.
- The choice between light and dark is a matter of taste preference, but darker color will have a heavier molasses note. Unless a recipe states a specific type, it is acceptable to use either.
- Dissolve a little brown sugar in coffee for a pleasantly sweet taste.
- For most recipe measurements, tightly pack brown sugar.

Substitution Tips

- To replace dark brown sugar, use one cup granulated white plus two tablespoons molasses.
- When a recipe requires brown sugar, using a substitute of any kind may affect [texture](#) and flavor.

Try one of our favorite brown sugar recipes:

[Country Apples](#)

[Baby Back Ribs](#)

[Microwave Caramel Popcorn](#)

Suggested Pairings

Beans, cereal, catsup, fruit, ice cream, mustard, pancakes, tea

Bloggers, have you written about "Brown Sugar"? [Add your link](#) to this page.



[How To Make Brown Butter Sauce](#)

[Savory Buttermilk Meatloaf](#)



[Steak with Red Onion and Marmalade](#)

[How-to make Summertime Lemonade](#)



[Sausage and Shrimp Jambalaya with Brown Rice](#)

[Fish Sausages to go with your beer](#)

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Exhibit 2

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- 10.2 NMX-F-084-1991 Industria azucarera - Azúcar estándar - Especificaciones. Declaratoria de vigencia publicada en el Diario Oficial de la Federación el 17 de enero de 1992.
- 10.3 NMX-Z-013-1977 Guía para la redacción, estructuración y presentación de las normas mexicanas. Declaratoria de vigencia publicada en el Diario Oficial de la Federación el 31 de octubre de 1977.
- 10.4 GS1/3-7 (2000) Determinación de color en azúcar morena.
- 10.5 GS1/3/4/7/8-11 Determinación de cenizas sulfatadas en azúcar morena.
- 10.6 GS1/3/4/7/8-13 Determinación de cenizas por conductividad en azúcar morena.
- 10.7 GS2/3-1 (1994) Determinación de la polarización del azúcar blanco.
- 10.8 GS2/1/3-15 (1994) Determinación de humedad en azúcares por desecación.
- 10.9 GS2-33 (1994) Determinación de sulfitos en azúcar blanco.
- 10.10 GS2-37 (1994) Determinación de la distribución del tamaño de partícula en azúcar blanco.
- 10.11 GS2/3-19 (1994) Determinación de sólidos insolubles en azúcar blanco.
- 10.12 GS2/3-43 (1994) Determinación de bacterias mesófilas totales en azúcar refinado.

Exhibit 3

NMX-F-084-SCFI-2004

9 / 10

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10.2 NMX-F-084-1991 Sugar Industry - Sugar Standard --
Specifications. Declaration of validity
published in the Official Journal of the
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10.3 NMX-Z-013-1977 Guide for the preparation, structuring and
presentation of the Mexican standards.
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10.6 GS1/3/4/7/8-13 Determinación de cenizas por conductividad
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10.7 GS2/3-1 (1994) Determination of the polarization of the sugar
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10.8 GS2/1/3-15 (1994) Determination of moisture in sugar
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10.10 GS2-37 (1994) Determination of size distribution
white particle.

10.11 GS2/3-19 (1994) Determination of insoluble solids
white sugar.

10.12 GS2/3-43 (1994) Identification of mesophilic bacteria

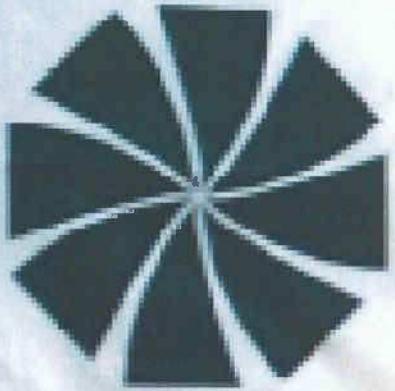
Total refined sugar.

Exhibit 4



ZULKA MEXICAN SUGAR
10 2.0LB 4/29/2005
001 14043 \$1.39
2.006614400001





Zulka®

AZÚCAR MORENA
PURE CANE SUGAR



Net
Weight 20 lb
Contains 1 pieces of 4 lb

Zulka

Zulka
AZÚCAR Morena
PURE CANE SUGAR



NET
WEIGHT 50 Lbs





Exhibit 5

BACK DISPLAY ← RIGHT SIDE DISPLAY → LEFT SIDE DISPLAY ← BACK DISPLAY ← LEFT SIDE →

| INGREDIENTS | |
|-----------------------|----------------|
| Granulated Cane Sugar | |
| NUTRITION FACTS | |
| Serving Size 1 tsp | |
| Amount Per Serving | |
| Calories 16 | % Daily Value* |
| Total Fat 0g | 0% |
| Potassium 0g | 0% |
| Sodium 0g | 0% |
| Total Carb 4g | 1% |
| Protein 0g | 0% |

*Percent Daily Values are based on a 2,000 calorie diet.

Jamoncillo Candy

- 1 ½ Cup ZULKA Sugar
- 1 Cup Cream
- 1 Teaspoon Vanilla extract
- 2 Teaspoons Butter or margarine
- 1 Cup Minced nuts

In a bowl, mix well ZULKA Sugar and cream. Cook in microwave for 11 minutes, stirring twice. Add butter and vanilla extract and with an electric mixer, beat mixture until cream thickens. Add nuts and mix well. Spread mixture on a flat mold coated with butter, cool in pan completely and cut into 2-inch squares. If you wish your Jamoncillo Candy to be creamier, add 4-5 marshmallows before cooking.



AZÚCAR MORENA®



AZÚCAR MORENA®



FRONT SIDE ← DISPLAY → MAIN DISPLAY ← →



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ZF 00109

Exhibit 6

Zulka Azúcar Morena



Sweeten your life!



ALMOND CAKE

½ cup all-purpose flour
 1 tsp. Baking powder
 12 tbs unsalted butter
 ¾ cup sugar Zulka®
 12 tbs almond paste
 grated zest of 1 orange
 grated zest of lemon
 ½ tsp. Almond extract
 1 tsp kirsch
 1 tsp. Vanilla extract
 5 eggs
 2 tbs. Apricot jam, warmed
 with 1 tbs. Water
 1/4 cup toasted sliced almonds

Preheat an oven to 325 °F.
 Butter a 9-inch round cake
 pan and line with parchment paper.

Over a sheet of waxed paper, sift together
 the flour and baking powder; set aside.
 In the bowl of an electric mixer fitted with the flat
 beater, beat the butter and Zulka azúcar morena®
 on medium speed, scraping down the sides of the
 bowl, until light and fluffy, 3 to 4 minutes. Add the
 almond paste, orange, lemon zests, almond extract,
 kirsch and vanilla, and beat until light and fluffy,
 scraping down the sides of the bowl, 2 to 3 minutes.
 Add the eggs and beat until smooth and lump-
 free. Transfer the batter to prepared pan.

Bake until the cake begins to pull away from
 the sides of pan and toothpick inserted into the
 center comes out clean, about 45 minutes.

Transfer the cake pan to a wire rack and cool for 1
 hour. Turn the cake out onto plate. Brush the top
 with the apricot jam and sprinkle with the toasted
 almonds.

Zulka® is made in Mexico from
 100% unrefined cane juice that
 is squeezed daily from fresh,
 ripe cane to produce a sugar
 that preserves the nutritional
 value of minerals while giving
 you an aromatic and great
 tasting sweetener.



Zulka

INGREDIENTS

Pure Cane Sugar

INFORMACIÓN NUTRIMENTAL

Serving size 4 g

Serving per container 227

Calories 16 kcal.

| Amount per serving | % Daily Value* |
|--------------------|----------------|
| Proteins 0g | 0% |
| Total Fat 0g | 0% |
| Carbohydrate 4g | 1% |
| Sodium 0g | 0% |
| Potassium 0g | 0% |

*Percent Daily Values are based on
 a 2,000 kilocalorie diet.

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azúcar morena



ZF 00108

Exhibit 7

TRADEMARK LAW OFFICE 1

Serial Number: 75/53

Mark: AZUCAR MORENA (STYLIZED)

Please Place on Upper Right Corner

**of Response to Office Action ONLY **

BERG & PARKER LLP

ATTORNEYS AT LAW

JA

April 2, 1999

AZUCAR MORENA

Trademark Law Office No. 75/531678



Samuel E. Sharper, Jr.
Examining Attorney
Law Office 101
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Re: AZUCAR MORENA
Trademark Law Office No. 75/531678

Dear Mr. Sharper:

In response to your action letter dated December 22, 1998, enclosed please find a copy of a signed "Designation of Domestic Representative" designating Robert Ted Parker of this office as the domestic representative for the applicant, Impulsora Azucarera del Noroeste, S.A. de C.V.

In further support of the application, enclosed please find the following additional information and material:

1. The English translation of "Azucar Morena" is not, as suggested, "sugar brown," despite the reference to Cassell's Spanish dictionary. The actual Spanish phrase for "brown sugar" is "azucar terciado." I enclose a page from *The Bantam New College Spanish & English Dictionary* (1981). There are also several other words used for brown in Spanish, including pardo, castaño and marfon, none of which are used to refer to brown sugar.

D D 2.
R R/PX

"Morena" refers to a beautiful dark-complexioned brunette Latin girl. The English translation of "Azucar Morena" is therefore more accurately stated as: "sugar beautiful dark-complexioned brunette Latin girl." Applicant has sought to establish a secondary meaning for the phrase to associate the phrase with its refined and unrefined sugar products. The word "morena" describes both the sugar color and a beautiful dark-complexioned brunette Latin girl, and in so doing, establishes a mental association in the buyers' mind between the phrase and a single source of the product.

3. "Azucar Morena" has no significance in the relevant trade. As a phrase, it has no accepted meaning in Spanish -- it is a coined, arbitrary and fanciful trade name.
4. "Azucar Morena" has no geographical significance.

Pmt

(The English translation of AZUCAR MORENA is
sugar beautiful dark-complexioned brunette Latin Girl)

Pmt



5. Also submitted herewith, is a new drawing page in conformance with 37 CFR 2.52.
6. The applicant disclaims the descriptive words "sugar", "beautiful", "dark-complexioned", "brunette", "Latin" or "girl." No claim is made by applicant to the exclusive right to use these words apart from the mark as shown.

If you have any questions concerning the foregoing or the enclosed materials, please contact me or Ted Parker of this office by telephone at: (415) 397-6000 or by fax at: (415) 397-9449. Thank you for this courtesy and your attention to this application.

Very truly yours,

David A. Dunbar
Legal Assistant

Enclosures

cc: Robert Ted Parker, Esq.
849.0002/904dd005