

ESTTA Tracking number: **ESTTA485127**

Filing date: **07/24/2012**

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

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Indian Peaks Brewing Company, Inc d/b/a Left Hand Brewing Company		
Entity	Corporation	Citizenship	Colorado
Address	1265 Boston Ave Longmont, CO 80501 UNITED STATES		

Attorney information	Rick Martin Patent Law Offices of Rick Martin, P.C. P.O. Box 1839 Longmont, CO 80502 UNITED STATES rmartin@patentcolorado.com Phone:303-651-2177
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Registration Subject to Cancellation

Registration No	2946361	Registration date	05/03/2005
Registrant	Gershkovitch, Eli 375 Water Street Suite 425 Vancouver, British Columbia, V6B 5C6 CANADA		

Goods/Services Subject to Cancellation

Class 032. First Use: 2004/04/02 First Use In Commerce: 2004/11/30 All goods and services in the class are cancelled, namely: BREWED ALCOHOLIC BEVERAGES, NAMELY, BEER, ALE, LAGER, MALT LIQUOR, STOUT, PORTER AND LAMBIC; BEER-BASED COOLERS
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Grounds for Cancellation

<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Abandonment	Trademark Act section 14

Attachments	cancellation petition.pdf (9 pages)(74464 bytes) Exhibit A.pdf (15 pages)(1464372 bytes) Exhibit B.pdf (12 pages)(2068340 bytes) Exhibit C.pdf (3 pages)(1086327 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	/Rick Martin/
Name	Rick Martin
Date	07/24/2012

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

In the Matter of Registration No. **2,946,361**

For the mark: **NITRO**

Date of Issue: **May 3, 2005**

INDIAN PEAKS BREWING COMPANY d/b/a
LEFT HAND BREWING COMPANY, a Colorado
Corporation,

Petitioner,

Cancellation No. _____

v.

ELI GERSHKOVITCH, an individual,
Registrant.

Trademark Trial and Appeal Board

U.S. Patent and Trademark Office

P.O. Box 1451

Alexandria, VA 22313-1451

PETITION FOR CANCELLATION

Petitioner, Indian Peaks Brewing Company d/b/a Left Hand Brewing Company, a Colorado corporation having its principal place of business at 1265 Boston Avenue, Longmont, Colorado, 80501 (hereinafter referred to as “Petitioner”), believes that it is or will be damaged by Registration No. 2,946,361 for the mark, NITRO, owned by Eli GersHKovitch, (hereinafter referred to as “Registrant”) an individual, and hereby petitions to cancel registration of the same pursuant to 15 U.S.C. §1064(3).

As grounds for this Petition, it is alleged that:

1. Upon information and belief, the name of the current owner of the registration is Eli GersHKovitch, an individual, with an address of 375 Water Street Suite 425, Vancouver, British Columbia V6B 5C6, Canada (“Respondent”).

2. The Registrant has obtained a registration for “Nitro” for “brewed alcoholic beverages, namely, beer, ale, lager, malt liquor, stout, porter and lambic; beer-based coolers” claiming a first date of use of 2004.

3. Petitioner is a craft brewery of beer, ale, stout, lager, and porter which is sold and distributed throughout the United States.

4. Petitioner has used the mark “Milk Stout Nitro” in the United States in connection with the sale of beer, ale, stout, lager, and porter for over three years.

5. Petitioner filed an intent to use application seeking registration on the Principal Register of the mark “Milk Stout Nitro” on July 28, 2011 for International Class 32: beer, ale, lager, stout, and porter, which was assigned Application Serial Number 85/383,412.

6. On November 25, 2011, the United States Patent and Trademark Office issued an Office Action in connection with Petitioner’s Application Serial No. 85/383,412, stating, *inter alia*,

Registration of applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 2946361. Trademark Act Section 2(d); see TMEP §§1207.01 et seq. [Exhibit A]

7. On June 25, 2012, Petitioner’s Application Serial No. 85/383,412 was abandoned.

8. Petitioner has developed extensive goodwill throughout the United States, including the Pacific Northwest, with respect to its mark “Milk Stout Nitro.”

9. Petitioner has spent substantial sums in the advertising and promotion throughout the United States of its goods sold under the “Milk Stout Nitro” mark.

10. As a result of the expenditure of considerable sums for promotional activities, advertising, and by virtue of the excellence of its goods, the Petitioner has garnered for its “Milk Stout Nitro” mark a most valuable reputation.

**COUNT I: FRAUDULENTLY OBTAINED AND MAINTAINED
REGISTRATION**

11. Petitioner repeats and incorporates herein by reference the averments in the preceding paragraphs.

12. Upon information and belief, there is no Washington state public record of Registrant or Registrant’s brewery holding a Beer Certificate of Approval, which contradicts Registrant’s statement of sales in Pacific Northwest.

13. Upon information and belief, Registrant maintains a website with a domain name of www.steamworks.com.

14. Upon information and belief, Registrant’s website, www.steamworks.com, does not mention any brewed alcoholic beverages, namely, beer, ale, lager, malt liquor, stout, porter and lambic; beer-based coolers with the mark NITRO. Screen shots of said website are attached as Exhibit B.

15. Upon information and belief, Registrant’s website, www.steamworks.com, contains pdf drink list available for download.

16. Upon information and belief, the drink list from Registrant’s website, www.steamworks.com, does not mention any brewed alcoholic beverages, namely, beer, ale, lager, malt liquor, stout, porter and lambic; beer-based coolers with the mark NITRO. The drink list is attached as Exhibit C.

17. Upon information and belief, Registration No. 2,946,361 was obtained fraudulently in that the formal application papers filed by Registrant, under notice of Section 1001 of Title 18 of the United States Code, stated that Registrant first used the mark in commerce with the United States in 2004 for “ brewed alcoholic beverages, namely, beer, ale, lager, malt liquor, stout, porter and lambic; beer-based coolers,” in International Class 32. Said statement was false in that the mark “Nitro” was not used by the Registrant in the United States to sell the stated goods. Said statement was made by Registrant with the knowledge and belief that said statement was false. Said false statement was made with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration, and, reasonably relying upon the truth of said false statements, the U.S. Patent and Trademark Office did, in fact, grant said registration.

18. Upon information and belief, Registration No. 2,946,361 was obtained fraudulently in that the formal application papers filed by Registrant, under notice of Section 1001 of Title 18 of the United States Code, stated that the specimens submitted in support of the application showed the mark as actually used by Registrant on the enumerated goods. Said statement was false in that the specimens do not relate to use of the mark in the United States by Registrant in connection with the enumerated goods. Said false statement was made with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration, and, reasonably relying upon the truth of said false statements, the U.S. Patent and Trademark Office did, in fact, grant said registration.

19. Upon information and belief, Registration No. 2,946,361 was maintained fraudulently in that the Section 8 and 15 combined declaration filed by Registrant, under notice of Section 1001 of Title 18 of the United States Code, stated that the specimens submitted in support of the application showed the mark as actually used by Registrant on the enumerated

goods. Said statement was false in that the specimens do not relate to use of the mark in the United States by Registrant in connection with the enumerated goods. Said false statement was made with the intent to induce authorized agents of the U.S. Patent and Trademark Office to maintain said registration, and, reasonably relying upon the truth of said false statements, the U.S. Patent and Trademark Office did, in fact, maintain said registration.

20. In light of the registration refusal based upon Registration No. 2,946,361 encountered by Petitioner in relation to Application Serial No. 85/383,412, and in view of the evidentiary presumptions that result from Registration No. 2,946,361 that should not be recognized given Respondent's fraudulently obtained registration of the mark in Registration No. 2,946,361, Petitioner will be damaged if Respondent is allowed to maintain such registration.

21. In addition, Petitioner has been and will continue to be damaged by the issuance and existence of Registration No. 2,946,361 issued to the Registrant, in that since at least 2009, Petitioner has continuously used the mark "Milk Stout Nitro" in the United States in connection with its goods. Using Registration No. 2,946,361 as the basis of its claim, although it never used the mark "Nitro" in the United States for the stated goods, Registrant has charged Petitioner with infringement of the mark "Nitro" as covered by said registration and unless cancelled as null and void, Registrant will persist to assert the registration or at the very least, the registration will remain as a cloud on Petitioner's legal right to continue to use its mark "Milk Stout Nitro."

COUNT II: ABANDONMENT

22. Petitioner repeats and incorporates herein by reference the averments in the preceding paragraphs.

23. Upon information and belief, Registrant maintains a website with a domain name of www.steamworks.com.

24. Upon information and belief, Registrant's website, www.steamworks.com, does not mention any brewed alcoholic beverages, namely, beer, ale, lager, malt liquor, stout, porter and lambic; beer-based coolers with the mark NITRO. Screen shots of said website are attached as Exhibit B.

25. Upon information and belief, Registrant's website, www.steamworks.com, contains pdf drink list available for download.

26. Upon information and belief, the drink list from Registrant's website, www.steamworks.com, does not mention any brewed alcoholic beverages, namely, beer, ale, lager, malt liquor, stout, porter and lambic; beer-based coolers with the mark NITRO. The drink list is attached as Exhibit C.

27. In the alternative, Petitioner asserts that Respondent has abandoned the mark "Nitro," which is the subject of Registration No. 2,946,361 and should be cancelled under Section 14 of the Trademark Law.

28. In the alternative, Petitioner asserts that Respondent discontinued use of the mark "Nitro" in the United States on or in connection with the goods set forth in Registration No. 2,946,361 more than three years prior to Petitioner's filing this Petition, and Respondent's use of the Registered Mark in the United States has not resumed since such discontinuance.

29. In light of the registration refusal based upon Registration No. 2,946,361 encountered by Petitioner in relation to Application Serial No. 85/383,412, and in view of the evidentiary presumptions that result from Registration No. 2,946,361 that should not be recognized given Respondent's abandonment of the mark in Registration No. 2,946,361, Petitioner will be damaged if Respondent is allowed to maintain such registration.

30. In addition, Petitioner has been and will continue to be damaged by the issuance and existence of Registration No. 2,946,361 issued to the Registrant, in that since at least 2009, Petitioner has continuously used the mark “Milk Stout Nitro” in the United States in connection with its goods. Using Registration No. 2,946,361 as the basis of its claim, although it never used the mark “Nitro” in the United States for the stated goods, Registrant has charged Petitioner with infringement of the mark “Nitro” as covered by said registration and unless cancelled as null and void, Registrant will persist to assert the registration or at the very least, the registration will remain as a cloud on Petitioner’s legal right to continue to use its mark “Milk Stout Nitro.”

PRAYER FOR RELIEF

WHEREFORE, Registration No. 2,946,361 be cancelled as it relates to the goods for which it is registered and that this Petition for Cancellation be sustained in favor of Petitioner.

The filing fee of \$300 for this Petition to Cancel is being submitted electronically with this Petition.

Petitioner hereby appoints Rick Martin and Kristi Thompson, of the Patent Law Offices of Rick Martin, P.C., members of the Colorado bar, as its attorneys with full power of substitution and revocation, to prosecute this cancellation proceeding, and to transact all business in the U.S. Patent and Trademark Office in connection herewith.

Respectfully submitted,

LEFT HAND BREWING COMPANY

By Its Attorneys
Rick Martin, CO Bar No. 20688
Kristi Thompson, CO Bar No. 43644
PATENT LAW OFFICES OF RICK
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303-651-2177
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rmartin@patentcolorado.com
kthompson@patentcolorado.com
Date: July 24, 2012

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing PETITION FOR CANCELLATION is being deposited with the U.S. Postal Service with sufficient postage as first-class mail this Tuesday, July 24, 2012 in an envelope addressed Registrant's counsel of record:

Bassam N. Ibrahim
Buchanan Ingersoll & Rooney, PC
P.O. Box 1404
Alexandria, VA 22313-1404
703-836-6620
Fax- 703-836-2021

And Registrant:

Eli GersHKovitch
375 Water Street Suite 425
Vancouver, British Columbia V6B 5C6
Canada

s/Kristi Thompson/
Kristi Thompson
Attorney for Petitioner
PATENT LAW OFFICES OF RICK MARTIN, P.C.
P.O. Box 1839
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rmartin@patentcolorado.com
kthompson@patentcolorado.com
Date: July 24, 2012

Exhibit A

To: Indian Peaks Brewing Company (mcameron@patentcolorado.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85383412 - MILK STOUT NITRO - N/A
Sent: 11/25/2011 4:48:19 PM
Sent As: ECOM113@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
[Attachment - 8](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 85383412

MARK: MILK STOUT NITRO

85383412

CORRESPONDENT ADDRESS:

RICK MARTIN
PATENT LAW OFFICES OF RICK MARTIN,
P.C.
PO BOX 1839
LONGMONT, CO 80502-1839

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: Indian Peaks Brewing
Company

**CORRESPONDENT'S REFERENCE/DOCKET
NO:**

N/A

CORRESPONDENT E-MAIL ADDRESS:
mcameron@patentcolorado.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 11/25/2011

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 2946361. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the enclosed registration.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely that a potential consumer would be confused or mistaken or deceived as to the source of the goods and/or services of the applicant and registrant. *See* 15 U.S.C. §1052(d). The court in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) listed the principal factors to be considered when determining whether there is a likelihood of confusion under Section 2(d). *See* TMEP §1207.01. However, not all the factors are necessarily relevant or of equal weight, and any one factor may be dominant in a given case, depending upon the evidence of record. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d 1344, 1355, 98 USPQ2d 1253, 1260 (Fed. Cir. 2011); *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); *see In re E. I. du Pont*, 476 F.2d at 1361-62, 177 USPQ at 567.

Taking into account the relevant *du Pont* factors, a likelihood of confusion determination in this case involves a two-part analysis. *See In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361-62, 177 USPQ 563, 567 (C.C.P.A. 1973); *In re 1st USA Realty Prof'ls Inc.*, 84 USPQ2d 1581, 1584 (TTAB 2007); *see also In re Dixie Rests. Inc.*, 105 F.3d 1405, 1406-07, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997). The marks are compared for similarities in their appearance, sound, connotation and commercial impression. TMEP §§1207.01, 1207.01(b). The goods and/or services are compared to determine whether they are similar or commercially related or travel in the same trade channels. *See Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002); *Han Beauty, Inc. v. Alberto-Culver Co.*, 236 F.3d 1333, 1336, 57 USPQ2d 1557, 1559 (Fed. Cir. 2001); TMEP §§1207.01, 1207.01(a)(vi).

Applicant's mark is MILK STOUT NITRO for in standard characters for beer, ale, lager, stout and porter.

The registered mark is NITRO in typed drawing for BREWED ALCOHOLIC BEVERAGES, NAMELY, BEER, ALE, LAGER, MALT LIQUOR, STOUT, PORTER AND LAMBIC; BEER-BASED COOLERS.

Goods are Identical

The applicant's "beer, ale, lager, stout and porter" are identical to registrant's "beer, ale, lager ... stout [and] porter."

Since the goods of the respective parties are identical, the degree of similarity between the marks required to support a finding of likelihood of confusion is not as great as would be required with diverse goods. *In re J.M. Originals Inc.*, 6 USPQ2d 1393, 1394 (TTAB 1987); *see Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1242, 73 USPQ2d 1350, 1354 (Fed. Cir. 2004); TMEP §1207.01(b).

Marks are Similar

The marks are highly similar in that both feature the word, NITRO, which is identical in appearance, sound, meaning and commercial impression.

The only difference between the marks is applicant's addition of the wording, MILK STOUT. However, the mere addition of a term to a registered mark does not obviate the similarity between the marks nor does it overcome a likelihood of confusion under Section 2(d). *In re Chatam International Inc.*, 380 F.3d 1340, 71 USPQ2d 1944 (Fed. Cir. 2004) ("GASPAR'S ALE and "JOSE GASPAR GOLD"); *Coca-Cola Bottling Co. v. Joseph E. Seagram & Sons, Inc.*, 526 F.2d 556, 188 USPQ 105 (C.C.P.A. 1975) ("BENGAL" and "BENGAL LANCER"); *Lilly Pulitzer, Inc. v. Lilli Ann Corp.*, 376 F.2d 324, 153 USPQ 406 (C.C.P.A. 1967) ("THE LILLY" and "LILLI ANN"); *In re El Torito Rests. Inc.*, 9 USPQ2d 2002 (TTAB 1988) ("MACHO" and "MACHO COMBOS"); *In re United States Shoe Corp.*, 229 USPQ 707 (TTAB 1985) ("CAREER IMAGE" and "CREST CAREER IMAGES"); *In re Corning Glass Works*, 229 USPQ 65 (TTAB 1985) ("CONFIRM" and "CONFIRMCELLS"); *In re Riddle*, 225 USPQ 630 (TTAB 1985) ("ACCUTUNE" and "RICHARD PETTY'S ACCU TUNE"); *In re Cosvetic Laboratories, Inc.*, 202 USPQ 842 (TTAB 1979) ("HEAD START" and "HEAD START COSVETIC"); TMEP §1207.01(b)(iii).

Moreover, disclaimed matter is typically less significant or less dominant when comparing marks. *In re Dixie Restaurants Inc.*, 105 F.3d 1405, 41 USPQ2d 1531 (Fed. Cir. 1997); *In re National Data Corporation*, 753 F.2d 1056, 224 USPQ 749 (Fed. Cir. 1985); and *In re Appetito Provisions Co. Inc.*, 3 USPQ2d 1553 (TTAB 1987). See also *Hewlett-Packard Co. v. Packard Press Inc.*, 281 F.3d 1261, 62 USPQ 2d 1001 (Fed. Cir. 2002); *Tektronix, Inc. v. Daktronics, Inc.*, 534 F.2d 915, 189 USPQ 693 (C.C.P.A. 1976); *In re El Torito Rests. Inc.*, 9 USPQ2d 2002 (TTAB 1988); *In re Equitable Bancorporation*, 229 USPQ 709 (TTAB 1986).

Here, the wording, MILK STOUT, refers to stout containing lactose sugar derived from milk. See attached Internet articles. Thus, the additional wording is merely descriptive of applicant's goods, namely MILK STOUT. See also, applicant's voluntary disclaimer of MILK STOUT as further evidence of the highly descriptive nature of this wording. See application. Therefore, the mere addition of descriptive wording to a registered mark, NITRO, fails to obviate the similarities of the marks in this case.

Here, the marks comprise the identical wording, NITRO. Thus, consumers who are familiar with the registrant's NITRO® marks for stout are likely to assume that the applicant's mark, MILK STOUT NITRO, simply represents a new product line of stout from the same source. *In re Compania Pesquera Vikingos de Colombia, S.A.*, 221 USPQ 556 (TTAB 1984).

The question is not whether people will confuse the marks, but whether the marks will confuse people into believing that the goods and/or services they identify come from the same source. *In re West Point-Pepperell, Inc.*, 468 F.2d 200, 201, 175 USPQ 558, 558-59 (C.C.P.A. 1972); TMEP §1207.01(b). For that reason, the test of likelihood of confusion is not whether the marks can be distinguished when subjected to a side-by-side comparison. The question is whether the marks create the same overall impression. See *Recot, Inc. v. M.C. Becton*, 214 F.3d 1322, 1329-30, 54 USPQ2d 1894, 1899 (Fed. Cir. 2000); *Visual Info. Inst., Inc. v. Vicon Indus. Inc.*, 209 USPQ 179, 189 (TTAB 1980). The focus is on the recollection of the average purchaser who normally retains a general rather than specific impression of trademarks. *Chemetron Corp. v. Morris Coupling & Clamp Co.*, 203 USPQ 537, 540-41 (TTAB 1979); *Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106, 108 (TTAB 1975); TMEP §1207.01(b).

The overriding concern is not only to prevent buyer confusion as to the source of the goods, but to protect

the registrant from adverse commercial impact due to use of a similar mark by a newcomer. *See In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); *see Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 464-65, 6 USPQ2d 1025, 1025 (Fed. Cir. 1988).

Accordingly, registration of the applied-for mark is refused because of a likelihood of confusion with the mark(s) in U.S. Registration No(s). 2946361. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.*

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

RESPONSE

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§705.02, 709.06.

TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE: Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. *See* 37 C.F.R. §2.23(a)(1). For a complete list of these documents, *see* TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods and/or services. 37 C.F.R. §2.6(a)(1)(iv); TMEP §819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner's amendment will not incur this additional fee.

USPTO
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Kelly A Choe
Trademark Attorney
Law Office 113
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TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of

the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

Print: Nov 23, 2011

76264220

DESIGN MARK

Serial Number

76264220

Status

REGISTERED

Word Mark

NITRO

Standard Character Mark

No

Registration Number

2946361

Date Registered

2005/05/03

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

Gershkovitch, Eli INDIVIDUAL CANADA 375 Water Street Suite 425
Vancouver, British Columbia CANADA V6B 5C6

Goods/Services

Class Status -- ACTIVE. IC 032. US 045 046 048. G & S: BREWED
ALCOHOLIC BEVERAGES, NAMELY, BEER, ALE, LAGER, MALT LIQUOR, STOUT,
PORTER AND LAMBIC; BEER-BASED COOLERS. First Use: 2004/04/02. First
Use In Commerce: 2004/11/30.

Filing Date

2001/05/31

Examining Attorney

LORENZO, ROBERT L.

Attorney of Record

Bassam N. Ibrahim

NITRO

This is Google's cache of <http://en.wikipedia.org/wiki/Stout>. It is a snapshot of the page as it appeared on Nov 21, 2011 14:49:59 GMT. The current page could have changed in the meantime. [Learn more](#)

These search terms are highlighted: **milk stout beer**

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Stout

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*For other uses, see **Stout** (disambiguation).*

Stout is a dark **beer** made using roasted malt or barley,^[1] hops, water and yeast. Stouts were traditionally the generic term for the strongest or stoutest porters, typically 7% or 8%,^[2] produced by a brewery.

There are a number of variations including Baltic porter, dry stout and imperial stout. The name *porter* was first used in 1721 to describe a dark beer popular with street and river porters of London that had been made with roasted malts. This same beer later also became known as stout,^[3] though the word stout had been used as early as 1677.^[4] The history and development of stout and porter are intertwined.^[5]

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History

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Porter was first recorded as being made and sold in London in the 1730s. It became very popular in the British Isles, and was responsible for the trend toward large regional breweries with "tied" pubs. With the advent of pale ale the popularity of dark beers decreased, apart from Ireland where the breweries of Guinness, Murphy's and Beamish grew in size with international interest in Irish (or dry) stout.

"Nourishing" and sweet "milk" stouts became popular in Great Britain in the years following the Second World War, though their popularity declined towards the end of the 20th century, apart from pockets of local interest such as in Glasgow with Sweetheart Stout.

With beer writers such as Michael Jackson writing about stouts and porters in the 1970s, there has been a moderate interest in the global specialty beer market.

Originally, the adjective stout meant "proud" or "brave", but later, after the 14th century, it took on the connotation of "strong". The first known use of the word stout for beer was in a document dated 1677 found in the Egerton Manuscript,^[4] the sense being that a stout beer was a strong beer. The expression stout porter was applied during the 18th century to strong versions of porter, and was used by Guinness of Ireland in 1820 – although Guinness had been brewing porters since about 1760, having originally been an ale brewer from its foundation in 1759. Stout still meant only "strong" and it could be related to any kind of beer, as long as it was strong: in the UK it was possible to find "stout pale ale", for example.



Bottles of Imperial stout

Русский
Suomi
Svenska
ไทย
Türkçe
Українська

foundation in 1759. **Stout** still meant only strong and it could be related to any kind of **beer**, as long as it was strong. In the UK it was possible to find **stout** pale ale, for example. Later, **stout** was eventually to be associated only with porter, becoming a synonym of dark **beer**. During the last part of the 19th century, **stout** porter **beer** gained the reputation of being a healthful, strengthening drink, so that it was used by athletes and nursing mothers, while doctors often recommended it to help recovery.^[6] Because of the huge popularity of porters, brewers made them in a variety of strengths. The beers with higher gravities were called "**Stout Porters**". There is still division and debate on whether stouts should be a separate style from porter. Usually the only deciding factor is strength.^[7]

Types of stout

[edit]

Stouts have a number of variations.

Dry or Irish stout

[edit]

Irish **stout** or dry **stout** (in Irish, *leann dubh*, "black **beer**") is very dark or rich in colour and it often has a "toast" or coffee-like taste. The most famous example is Guinness followed by Murphy's and Beamish. There are also a number of smaller craft breweries producing **stout**. The alcoholic content and "dry" flavour of a dry or Irish **stout** are both characterised as light, although it varies from country to country.

Imperial stout

[edit]

Imperial **stout**, also known as "Russian imperial **stout**" or "imperial Russian **stout**," is a strong dark **beer** or **stout** in the style that was brewed in the 18th century by Thrale's brewery in London, England for export to the court of Catherine II of Russia.^[8] In 1781 the brewery changed hands and the **beer** became known as Barclay Perkins Imperial Brown **Stout**. When the brewery was taken over by Courage the **beer** was renamed Courage Imperial Russian **Stout**.^[9] It has a high alcohol content - nine or ten percent abv is common.

Porter

[edit]

Main article: Porter (beer)

While there is a great deal of disagreement in the brewing world on this subject, at one time, porter was considered an alternative name for **stout**. It was originally used in the 18th century. Historically, there are no differences between **stout** and porter, though there has been a tendency for breweries to differentiate the strengths of their dark beers with the words "extra", "double" and "**stout**". The term **stout** was initially used to indicate a stronger porter than other porters issued by an individual brewery. Though not consistent, this is the usage that was most commonly employed.^[9]

Baltic porter

[edit]

A version of porter which is brewed in Denmark, Finland, Estonia, Latvia, Lithuania, Poland, Russia and Sweden. It has a higher alcohol content than ordinary porters.^[10] Export ales (see "Russian imperial **stout**" above) introduced from Britain in the 18th century were influenced by regional styles when they began to be produced locally. While it was once a top-fermenting **beer**, it is now mostly brewed as a lager-style bottom-fermenting **beer** in Slavic and Baltic breweries.^[11]

Milk stout

[edit]

Milk stout (also called sweet **stout** or cream **stout**) is a **stout** containing lactose, a sugar derived from **milk**. Because lactose is unfermentable by **beer** yeast, it adds sweetness, body, and calories to the finished **beer**. **Milk stout** was claimed to be nutritious, and was given to nursing mothers.^[12] along with other stouts, such as Guinness.^[13] The classic surviving example of **milk stout** is Mackeson's,^[14] for which the original brewers claimed that "each pint contains the energising carbohydrates of 10 ounces of pure dairy **milk**". In the period just after the Second World War when rationing was in place, the British government required brewers to remove the word "**milk**" from labels and adverts, and any imagery associated with **milk**.^[15]

Oatmeal stout

[edit]

Oatmeal **stout** is a **stout** with a proportion of oats, normally a maximum of 30%, added during the brewing process. Even though a larger proportion of oats in **beer** can lead to a bitter or astringent taste,^[16] during the medieval period in Europe, oats were a common ingredient in ale.^[17] and proportions up to 35% were standard. However, despite some areas of Europe, such as Norway, still clinging to the use of oats in brewing until the early part of the 20th century, the practice had largely died out by the 16th century, so much so that in 1513 Tudor sailors refused to drink oat **beer** offered to them because of the bitter flavour.^{[18][19]}

There was a revival of interest in using oats during the end of the 19th century, when (supposedly) restorative, nourishing and invalid beers, such as the later **milk stout**, were popular, because of the association of porridge with health.^[20] MacIvor of Alloa produced an Original Oatmeal **Stout** in



A pint of Guinness stout.



the later **milk stout**, were popular, because of the association of porridge with health.^[14] Maclay of Alloa produced an Original Oatmeal **Stout** in 1895 which used 70% "oatmeal", and a 63/- Oatmeal **Stout** in 1909, which used 30% "flaked (porridge) oats".^[21]

In the 20th century many oatmeal stouts contained only a minimal amount of oats. For example, in 1936 Barclay Perkins Oatmeal **Stout** used only 0.5% oats.^[22] As the oatmeal **stout** was party-gyled with their porter and standard **stout**, these two also contained the same proportion of oats. The name seems to have been a marketing device more than anything else. In the 1920s and 1930s Whitbread's London **Stout** and Oatmeal **Stout** were identical, just packaged differently. The amount of oats Whitbread used was minimal, again just around 0.5%.^[23] With such a small quantity of oats used, it could have had little impact on the flavour or texture of these beers.

Many breweries were still brewing oatmeal stouts in the 1950s, for example Brickwoods in Portsmouth, Matthew Brown in Blackburn and Ushers in Trowbridge.^[24] When Michael Jackson mentioned the defunct Eldrige Pope "Oat Malt **Stout**" in his 1977 book *The World Guide to Beer*, oatmeal **stout** was no longer being made anywhere, but Charles Finkel, founder of Merchant du Vin, was curious enough to commission Samuel Smith to produce a version.^[25] Samuel Smith's Oatmeal **Stout** then became the template for other breweries' versions.

One of the first to follow Samuel Smith was the Broughton brewery in the Scottish Borders with their Scottish Oatmeal **Stout**,^[26] a 4.20% **beer** they have made since 1979 with roasted barley and pinhead oats. Young's Brewery of London were not long after with their 5.2% Oatmeal **Stout**, a **beer** that is mainly made for the North American market. One of the most notable of the US versions is the Anderson Valley Brewing Company's Barney Flats Oatmeal **Stout**, a bottle conditioned **stout** of 5.7% strength that has won several awards.^[27] In Canada, McAuslan Brewing's St. Ambrose Oatmeal **Stout** has also attracted attention and a significant award.^[28]

Oatmeal stouts are now made in several countries, including Australia, with Redoak of Sydney producing a 5% Oatmeal **Stout**^[29] and WinterCoast of Denmark brewing a 5.9% Oatmeal **Stout** using roasted barley and chocolate malt.^[30]

Oatmeal stouts usually do not specifically taste of oats. The smoothness of oatmeal stouts comes from the high content of proteins, lipids (includes fats and waxes), and gums imparted by the use of oats. The gums increase the viscosity and body adding to the sense of smoothness.^[31]

Chocolate stout

"Chocolate **stout**" is a name brewers sometimes give to certain stouts having a noticeable dark chocolate flavour through the use of darker, more aromatic malt; particularly chocolate malt — a malt that has been roasted or kilned until it acquires a chocolate colour. Sometimes, as with Muskoka Brewery's Double Chocolate Cranberry **Stout**, Young's Double Chocolate **Stout**, and Rogue Brewery's Chocolate **Stout**, the beers are also brewed with a small amount of actual chocolate.^{[32][33]}

Coffee stout

Dark roasted malts, such as black patent malt (the darkest roast), can lend a bitter coffee flavour to dark **beer**. Some brewers like to emphasize the coffee flavour and add ground coffee. Brewers will often give these beers names such as "Guatemalan Coffee **Stout**", "Espresso **Stout**", "Breakfast Coffee **Stout**", "Stir Stick **Stout**", etc.

The ABV of these coffee flavoured stouts will vary from under 4% to over 8%. Most examples will be dry and bitter, though others add **milk** sugar to create a sweet **stout** which may then be given a name such as "Coffee & Cream **Stout**" or just "Coffee Cream **Stout**". Other flavours such as mint or chocolate may also be added in various combinations.

Oyster stout

Oysters have had a long association with **stout**. When stouts were emerging in the 18th century, oysters were a commonplace food often served in public houses and taverns. Benjamin Dieracoli is said^[by whom?] to have enjoyed a meal of oysters and Guinness in the 19th century, though by the 20th century oyster beds were in decline, and **stout** had given way to pale ale.

The first known use of oysters as part of the brewing process of **stout** was in 1929 in New Zealand, followed by the Hammerton Brewery in London, UK, in 1938.^[34] Several British brewers used oysters in stouts during the "nourishing **stout**" and "milk **stout**" period just after the Second World War.

Modern oyster stouts may be made with a handful of oysters in the barrel. Hence the claim of one Dublin establishment the Porterhouse Brewery that their award winning Oyster **Stout** was not suitable for vegetarians.^[35] Others, such as Marston's Oyster **Stout**, just use the name with the implication that the **beer** would be suitable for drinking with oysters.

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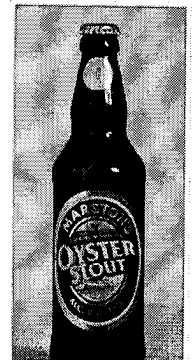
The original modern oatmeal stout

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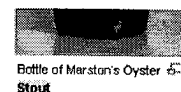
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Bottle of Marston's Oyster Stout

External links

[edit]



Wikimedia Commons has media related to **Stout**

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Beer styles

[show]

Categories: **Beer** styles

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Milk / Sweet Stout

Description:

Milk / Sweet Stouts are basically stouts that have a larger amount of residual dextrins and unfermented sugars that give the brew more body and a sweetness that counters the roasted character. Milk Stouts are very similar to Sweet Stouts, but brewers add unfermentable sugars, usually lactose, to the brew kettle to add body and some sweetness.

Average alcohol by volume (abv) range: 4.0-7.0% [\[? \]](#)

[View the Top Beers for Milk / Sweet Stout](#)

Style Examples - 1 to 20 (out of 286) - Ordered by # Reviews

« first < prev 1-20 21-40 41-60 next > last »					
	Name	Brewery	ABV%	Avg	Revs
Beer Style	Y Young's Double Chocolate Stout	Wells & Young's Ltd	5.20	A-	2231
Beer Style	L Left Hand Milk Stout	Left Hand Brewing Company	6.00	B+	1243
Beer Style	S Samuel Adams Cream Stout	Boston Beer Company (Samuel Adams)	4.90	B+	1233
Beer Style	D Duck-Rabbit Milk Stout	The Duck-Rabbit Craft Brewery	5.70	B+	596
Beer Style	S St. Peter's Cream Stout	St. Peter's Brewery Co Ltd	6.50	B+	557
Beer Style	M Milk Stout	Lancaster Brewing Company	5.30	B+	424
Beer Style	M Moloko	Three Floyds Brewing Co. / Brewery & Pub	8.00	A-	393
Beer Style	J Jason Fields & Kevin	Stone Brewing Co.	7.30	B	319

Food Pairings

General (Chocolate, Dessert) [\[+ \]](#)

Glassware

Pint Glass (or Beaker, Nonic, Tumbler), Mug (or Seidel, Stein) [\[+ \]](#)














Temps

Cellar @: 40-45°F
Not recommended for extended cellaring, unless ABV exceeds average range
Serve @: 50-55°F [\[+ \]](#)



Brews' Picks

Jason's Pick:
[Milk Stout](#) from John Harvard's Brew House

Todd's Pick:
Tenderloin [Stout](#) from Tenderloin Caledonian Breweries

	Jason Fields & Kevin Sheppard / Triegs / Stone Cherry Chocolate Stout	Stone Brewing Co.	7.30	B	319
	Dark Horse Too Cream Stout	Dark Horse Brewing Company	8.00	B+	301
	Terrapin Moo-Hoo Chocolate Milk Stout	Terrapin Beer Company	6.00	B+	299
	Moo Thunder Stout	Butternuts Beer & Ale	4.90	B	274
	Hitachino Nest Sweet Stout (Loctn)	Kiuchi Brewery	3.90	C+	187
	Mothers Milk Stout	Keegan Ales	6.00	B+	174
	Tallgrass Buffalo Sweat	Tallgrass Brewing Company	5.00	B	170
	Sheaf Stout	Carlton & United Breweries, Ltd.	5.70	B	134
	Four	Sully Brewing Company	10.00	A-	124
	River Horse Oatmeal Milk Stout	River Horse Brewing Co.	6.70	B+	110
	Royal Extra Stout	Carib Brewery Limited	6.50	B	95
	Coffeehouse Stout	Williamsburg AleWorks	6.10	B+	94
	Saranac Mocha Stout	Matt Brewing Company	5.00	B	86

« first < prev | 1-20 | 21-40 | 41-50 | next > last »

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« first < prev | 1-20 | 21-40 | 41-60 | next > last »

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Exhibit B





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Signature Pale Ale

"Eminently quaffable"

The term "Pale Ale" dates back to the 1800s when all beer was dark brown in colour. New malting techniques led to the development of pale malt, a barley malt kilned at low temperatures which contributed very little colour to the finished beer. Hence the birth of Pale Ale, an amber- to copper-coloured ale you could actually see through. Plenty of British Crystal malt in the grist lends this ale its rich colour, its caramel maltness, and adds the occasional whiff of toffee to the nose. An addition of American and German hops to the kettle at the end of the boil is used to suffuse our Pale Ale with a gently spicy hop finish.

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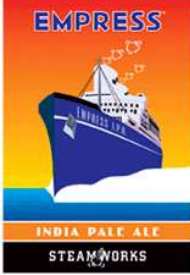
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Empress India Pale Ale
"A strong pale ale with a sumptuous hop character"

During the heyday of the British Empire, India Pale Ale was born as a strong pale ale brewed especially to endure the rigors of the long journey to the colonies. In order to guard against spoilage, I.P.A. was brewed with a high alcohol content and with liberal amounts of hops, which act as a natural preservative. This ale's golden amber colour only hints at its full-bodied flavour. Its sumptuous maltiness is tempered by a goodly amount of bitterness and a mouth-filling hop flavour. In order to finish our I.P.A. with a truly fresh hop bouquet, we dry hop this ale in the

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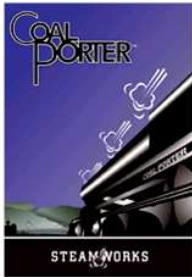
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Coal Porter

"Like a song that's smooth as silk"

As you look out over Vancouver's Coal Harbour, relax with this creamy delight. Don't let the colour fool you - this porter is rich but not overpowering with a head that lingers all the way down the glass. Just about anything goes with our Coal Porter, and you don't have to belong to "High Society" to enjoy a glass with oysters.

Availability: Alternates with Oatmeal Stout monthly

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Heroica Oatmeal Stout

"Oatmeal - It's not just for breakfast anymore"


There are some things in life that require a certain sense of bravado: these might include ordering a quadruple espresso, deciding to sleep without a nightlight, or choosing to live in a region of the continent that is gradually sinking into the Pacific Ocean. If you're no longer scared of the dark, then there's no reason to be afraid of our stout. A generous portion of rolled oats and lots of black roasted barley give this beer a warm, roasted nose, and a distinct dryness that succumbs to waves of lingering satisfaction.

Availability: Alternates with Coal Porter monthly



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Ipanema Summer White

"Tall and tan and young and lovely"

Originating in Belgium, this is a truly bilingual brew. Known as Biere Blanche in French, Witbier in Flemish and White beer in English. Unmalted wheat and oats are used in the grist to lend this brew its smooth, light body. Coriander seed and Curacao orange peel are added to the kettle to infuse this beer with a subtle, perfumey spiciness. The result is a light wheat beer with a fruity, tart finish - the essence of summer.

Availability: On tap during summer

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SEASONAL SELECTIONS

Seasonal Favorites

Some of our specialty favourites include our springtime Skinny Tire Hefeweizen, followed by the ever popular Raspberry Frambozen® and especially for late summer our Sour Cherry Ale. The Autumn marks the return of the Great Pumpkin® Ale and finally our Blitzen® Christmas Ale adds a little warmth to the Festive Season.

Availability: Ask your server!



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the ever popular Raspberry Rumbosenz and especially for late summer our Sour Cherry Ale. The Autumn marks the return of the Great Pumpkin® Ale and finally our Blitzen® Christmas Ale adds a little warmth to the Festive Season.

Availability: Ask your server!



Drink List
Download our Gastown drink list. (PDF)

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Steamworks
375 Water Street
Vancouver, BC V6B 5C6
Ph: 604.689.2739 Fax: 604.669.2329

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Welcome


On behalf of all of the employees of Steamworks Brewing Company I am delighted to personally welcome you to our establishment. **Since we first opened in 1995, Steamworks has been a favourite of Vancouver locals and visitors alike.** Whether you're joining us for lunch, a drink after work, or a group dinner with friends and colleagues, we're honoured to have you with us.

Steamworks gets its name from the famous Gastown steam line that runs through our premises. The Gastown Brewing Company, which is located onsite and brews Steamworks beers, uses steam to fire its kettles. The instant heat of steam allows for greater brewing finesse, and most importantly great tasting beer. Whether you're in the mood for a thirst quenching Lions Gate® lager, or a full bodied Heroica™ Oatmeal Stout, we've got a beer to please your palate.

Speaking of palate, our Executive Chef, Frederic Gagne, ensures that food doesn't take a back seat at Steamworks. One of the questions I am often asked is "What do you recommend on the menu?" While I can assure you that everything we serve is delicious, our wild BC salmon dishes, (Salmon Caesar Salad & Grilled Salmon Filet) are among my personal favourites.

Steamworks has always been known for its **distinctive** and **eclectic** atmosphere. We recently have added a number of rooms that lend themselves perfectly to group events. Our stylish **Über Lounge** and adjoining atrium are perfect for larger functions. Our more intimate and private **Wine Room** and

Gallery



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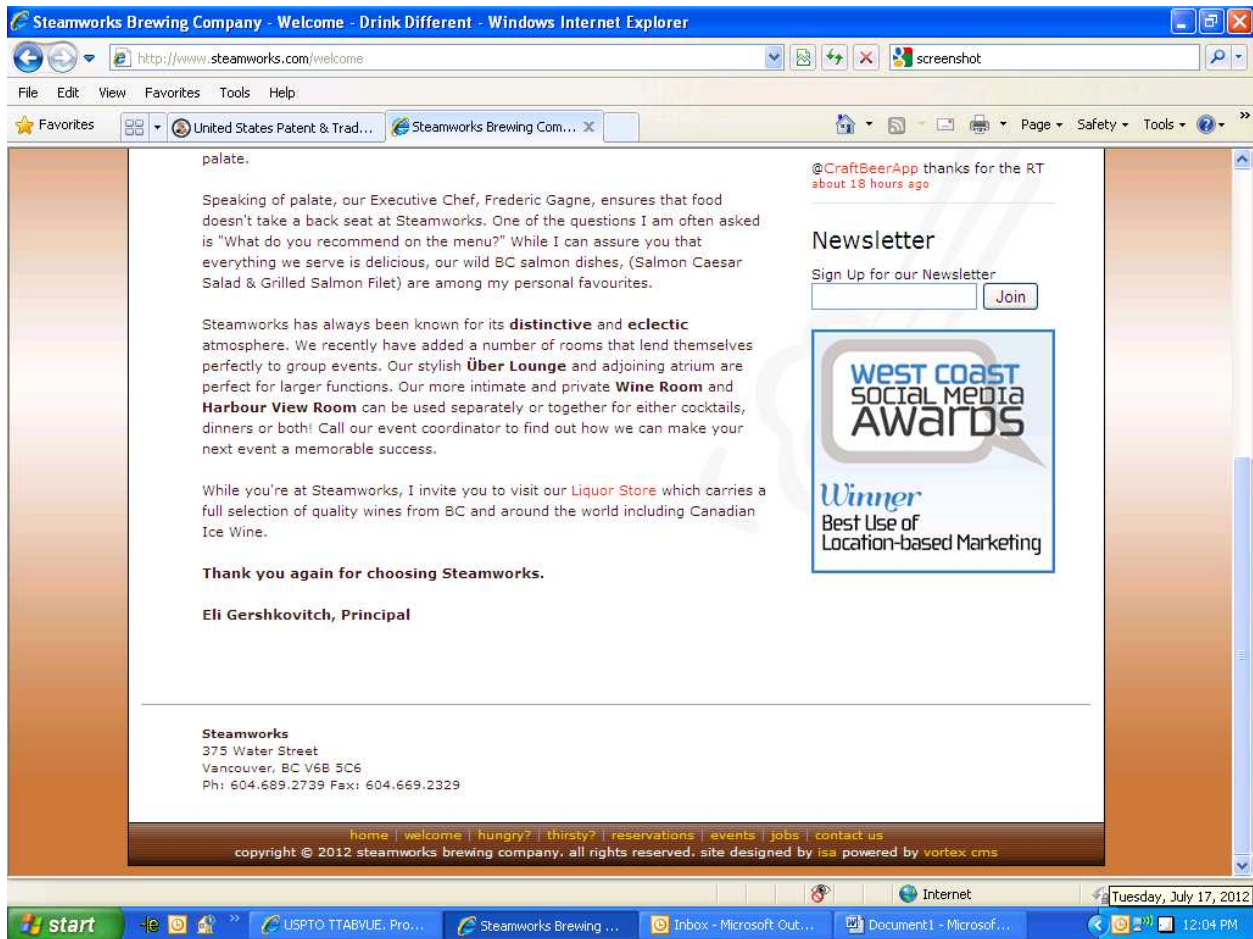


Exhibit C

FROM THE BACK BAR

ALL COCKTAILS MIN 3 oz

SWIZZLE & STIR

STEAMWORKS SIGNATURE CAESAR

Smirnoff vodka, clamato juice, smoky sauce, fresh lime juice, savory spiced rim, celery, olive and a peppercorn pepper. 7.99

TENNESSEE HONEYCOMB

Jack Daniels Tennessee Honey, fresh lemon juice, gingerale, berries, over ice. 8.99

BLACK CURRANT MOJITO

Captain Morgan white rum, fresh mint, Giffard's Cassis, lime juice, soda. 7.99

HEMINGWAY DAIQUIRI

Captain Morgan white rum, fresh lime juice, grapefruit juice, Giffard Cassis, Giffard Cane Sugar. 7.99

BLACKBERRY BRAMBLES

Tanqueray gin, blackberry liqueur, fresh lemon juice, soda. 7.99

JAMAICAN YELLOW BIRD

Captain Morgan white rum, gilliano, banana liqueur, pineapple, o.j., 7up and soda. 6.99 7.99 | 10/10/14 15.49

TROPIC THUNDER

Smirnoff Vodka, Bols Blue, Giffard Mango, pineapple juice, ginger beer, 6.99 7.99 | 10/10/14 15.49

STEAMWORKS SANGRIA

Red wine, Dubonnet Rouge, brandy, Giffard spiced sangria, fresh lemon juice, ginger beer, orange and lemon. 6.99 5.99 | 10/10/14 14.99

STRAIGHT UP

B.C. BLACK CHERRY COSMO

Smirnoff Cordon, Grand Marnier, Olanogin black cherry juice, fresh lemon juice, brandied cherry. 8.99

AGAVE MARGARITA

Cervato tequila, Giffard Agave Nectar, Cointreau and lime juice. 8.99

KENTUCKY SIDE CAR

Bulleit bourbon, Triple Sec, fresh lemon juice, orange berries. 8.99

SLUSHY

BELLINI

Captain Morgan white rum, peach liqueur, champagne, peach slush, sangria. 6.99

SPARKLES

THE ROSE PETAL

Chambord Royale vodka, Sumat Ridge Stillers Lav B.C. Brut, sugared rim. 8.49

MANGO MIMOSA

Stillers Lav B.C. Brut, Giffard's Mango. 8.49

FRENCH '75

Tanqueray gin, lemon juice, Cointreau, Giffard Sugar Cane Stillers Lav B.C. Brut, sugared rim. 8.49

DAILY BAR FEATURES

MONDAY

PITCHERS OF BEER 13.99

Your choice of ales or lagers

TUESDAY

FISHBOWLS 13.99

Jamaican Yellow Bird, Steamworks Sangria or Tropic Thunder

WEDNESDAY

BELLINIS 7.99

White Rum, peach liqueur, champagne, peach slush, sangria

THURSDAY

STRAIGHT UP COCKTAILS 6.99

Agave Margarita, B.C. Black Cherry Cosmo or Kentucky Side Car

FRIDAY

SPARKLES 7.99

The Rose Petal, The French '75 or Mango Mimosa

SATURDAY

JAMAICAN YELLOW BIRD FISH BOWLS 13.99

SUNDAY

STEAMWORKS SIGNATURE CAESAR 6.99

Smirnoff vodka, clamato juice, smoky sauce, fresh lime juice, savory spiced rim, celery, olive and a peppercorn pepper

REFER OF THE DAY

a pint of today's brewer's choice

20 oz 5.25

BOULIQUE EVENT

FACILITIES

Throw your next party with us!
Visit us at steamworks.com

www.steamworks.com

DESSERTS FOR SHARING

CARROT CAKE 6.99

Moist house-made carrot cake, rich mascarpone, cream cheese icing

UPSIDE DOWN PECAN PIE FOR TWO 7.99

Sweet and sticky pecans filling tucked inside a puff pastry dome, caramel, creme anglaise, candied pecans, Mario's premium vanilla ice cream

HEDGEHOG® ICE CREAM PIE 6.99

Layers of latte, almond, and hazelnut ice cream on espresso chocolate biscotti crust with chocolate sauce

OVERSIZED CARAMEL APPLE PIE 7.99

House made apple pie smothered in warm caramel sauce, almond crumble, Mario's premium vanilla ice cream

BROWNIE SUNDAY 7.99

White chocolate chip brownie, fresh whipped cream, Mario's premium vanilla bean ice cream, hot fudge

SPECIALTY COFFEES

ABC COFFEE

Amaretto, Baileys, Cointreau, coffee, whip, sugar rim. 7.25

BQ2 COFFEE

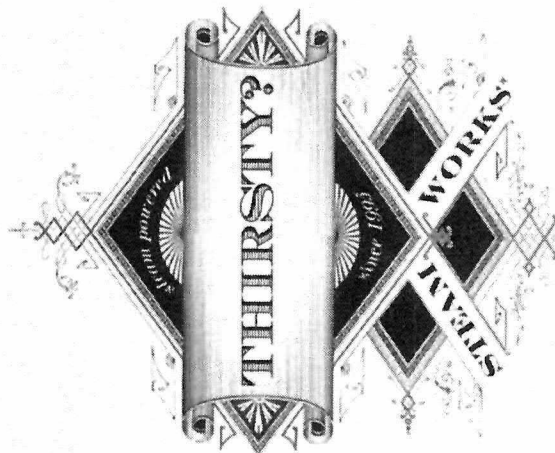
Kahlua, Baileys, Grand Marnier, coffee, whip, sugar rim. 7.25

F & B COFFEE

Frangelico, Baileys, coffee, whip, sugar rim. 7.25

MONTICRISTO

Kahlua, Grand Marnier, coffee, whip, sugar rim. 7.25



drink different®

BEERS

WINES

DRINKS

DESSERTS