

New Jersey Law Journal Reports Bacardi and Lawyers at Kelley Drye Win Another Victory over Pernod Ricard

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The *New Jersey Law Journal* article, "Third Circuit Upholds Bacardi's 'Havana Club' Brand, Rejecting Pernod Ricard's Challenge in Decades-Old Trademark Dispute," noted a unanimous appellate court ruled in Bacardi's favor. The article begins "Bacardi and its lawyers at Kelley Drye & Warren can toast to another victory in the company's fourteen-year trademark battle with Pernod Ricard over the name 'Havana Club.'"

The article quoted the court: "'We conclude, as did the District Court, that the Havana Club label, taken as a whole, could not mislead any reasonable consumer about where Bacardi's rum is made,' wrote Circuit Judge Kent Jordan. Each bottle of Bacardi rum in question, the panel noted, included a label explaining that 'Havana Club rum is a premium rum distilled and crafted in Puerto Rico.'"

It also traced the history of the dispute with Pernod and the Cuban government on one side against Bacardi and the descendants of the rum's creator, Jose Arechabala.

Partner **William R. Golden Jr.** represented Bacardi.