

Response to Office Action

The table below presents the data as entered.

| Input Field | Entered |
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| SERIAL NUMBER | 85604483 |
| LAW OFFICE ASSIGNED | LAW OFFICE 106 |
| MARK SECTION | |
| MARK FILE NAME | http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85604483 |
| LITERAL ELEMENT | CRU |
| STANDARD CHARACTERS | NO |
| USPTO-GENERATED IMAGE | NO |
| ARGUMENT(S) | |
| <p>Application Serial Number 85604483 Mark: CRU This writing is in response to the USPTO Office Action refusal to register on the Supplemental Register because the applied-for mark-"CRU"-is generic and therefore incapable of distinguishing applicant's goods (the "Office Action"). Contrary to such determination, however, we believe that the "relevant public"-in this case the American wine drinker-does not understand the French term "CRU" to refer generically to "wine of a particular quality grape." Such designation for the French term may be applicable in the highly-regimented French wine market, and it may resonate with a few in the elite class of professional wine purists in the United States. Nonetheless, such a generic meaning for "CRU" is not understood by the American wine drinker, as the term can be used in a variety of contexts. In the present case, "CRU" is an evocative descriptor that indicates fine wine unique to the Mariposa Wine Company, LLC. The relevant customers have likely heard of the CRU wine brand, but have little or no knowledge of its French definition or usage. The Office Action Does Not Base Its Analysis on the "Relevant Public" Although the Office Action correctly cites various online definitions of "CRU" suggesting the term may be generic, the cited sources are not representative of the "relevant public" whose understanding is used to determine whether a mark is generic. All of the definitions clearly indicate that the term is French and deals with use of the term "CRU" as a designation that applies primarily, if not exclusively, to the French market. Therefore, the websites that define the term "CRU" in a generic manner-including DiscoverFrance.net, SommelieCru.co.uk, French- Wines.com-are hardly representative of the American wine buyer. In fact, these definitions reflect the opinions of non-American consumers, or elite level professionals. Trademark law is very clear that it is the opinions of the relevant public, and not industry insiders, who determine whether a mark is generic. (See, e.g. J. Thomas McCarthy, McCarthy on Trademarks and Unfair Competition§12:4 (4th ed. 2012).) In one well known case, it was determined that "Chicken Tenders" was not a generic name to consuming public for chicken parts, even though it was regarded as a generic name in the chicken industry. (Burger King Corp. v. Pilgrim's Pride Corp., 705 F. Supp. 1522, 12 U.S.P.Q.2d 1526 (S.D. Fla 1988), aff'd without op., 894 F.2d 412 (11th Cir. 1990)("The test of genericness in trademark law is the term's meaning to a usual buyer or other relevant members of the public...Here, such relevant members of the public would be the retail consumers.") In the present case, the relevant public is not French wine purists or industry insiders, but the general American wine consumer. The Examples Cited By the Office Action Do Not Demonstrate a Generic Usage of the Term "CRU" in the United States Even if we set aside the fact that the sources cited as a proxy for the "relevant public" actually reflect industry professionals and foreign consumers, it is clear from the sources cited by the Office Action that there is no consistent generic usage of the term "CRU" in the United States. For example the website for "Premier Cru" wines is shown to demonstrate the genericness of the term. In fact, however, "Premier Cru" is a name used to identify a specific company. It is not used to identify wine of a particular quality grape. Another cited website- Sommelier Cru-whose dictionary definition of "CRU" is utilized in the Office Action, actually claims "CRU" as a trademark. Finally, the Office Action makes the claim that trademark holders have disclaimed "CRU" in their applications. In fact this is not the case. Only "CRU" with a modifier such as "Grand CRU" or "PREMIER CRU" have exclusions. There is no consistent exclusion of "CRU" unmodified. Furthermore, a deeper look into American wine industry use of the term "CRU" indicates a complete lack of consistent usage. On one hand, purists like the American Grand Cru society favor the traditional French usage. (American Grand Cru, "About Us", enclosed.) However, some industry insiders have bemoaned the fact that the American market has no consistency whatsoever in applying a "CRU" label, even making derisive remarks about "California White Zinfandel Grand Cru". (Pamela Heiligenthal, Has the term "California Grand Cru" Gone too far?, Enobytes, October 18, 2011, enclosed.) Most American Uses of the Term CRU are, in fact, Used In Branding In the section above it was demonstrated that the term "CRU" is used in wine label branding. However, such labeling is generally with a modifier such as "grand" or "premier". This may be consistent to some degree with the Office Action, because the definition of "CRU" used therein makes no sense without a modifier. If "CRU" means a "certain quality of grape or wine", it would need a modifier, such as "best" or "worst" to make any sense. However, in the American usage of the term "CRU" we are starting to see it stand on its own, as Mariposa Wine Company, LLC is doing in the present case. For example, numerous wine bars now utilize the term without any modification. (See enclosed.) The term is</p> | |

evocative and descriptive enough to apply to wine with any modifier. "CRU" Is a Descriptive Term, Not A Generic Term Contrary to the Office Action, "CRU" is a descriptive term, not a generic one. As demonstrated above, the "relevant public"-the typical American wine consumer-does not have a consistent understanding of the term "CRU" as generic. Instead it describes the wine to be purchased. "CRU" is a wonderfully evocative descriptor for the wine label in question. However, far less interesting descriptors have been given protection. For example "Tasty Salad Dressing" was held to not be a generic name. (Henri's Food Products Co. v. Tasty Snacks, Inc., 817 F.2d 1303, 2 U.S.P.Q.2d 1856 (7th Cir. 1987).) In contrast to a term like "light beer" which identifies a particular type of product, "tasty" describes attributes of the product and is thus capable of secondary meaning. (Id.) Similarly, "CRU" describes the fine wine of the Mariposa Wine Company, LLC, which sourced from throughout California, but produced in the Central Valley, which is known more for mass-produced wines than for fine wines. Refusing "CRU" on the Supplemental Register Would be Inconsistent with Past Applications The Office Action relied heavily upon online wine dictionaries to show that "CRU" is a generic wine term. However it should be noted that other wine terms appearing in such dictionaries have been allowed registration. For example, the term "Amarone" is trademarked in the US, even though the term is a generic term for an Italian wine from a specific region in Northern Italy. (See enclosed and DiscoverFrance.net citation in Office Action.) However, in the US, the term lacks the distinctive meaning and may be protected in a way that "Cabernet"-which has a distinctive meaning-may not. The present case with the term "CRU" is almost exactly analogous. The USPTO should not, and does not always, assume that a term is generic, merely because it may be generic in another country. Allowing "CRU" on the Supplemental Register Will Not Allow "Monopolization" of the Term Finally, it should be noted that allowing the term "CRU" on the Supplemental Register will hardly allow "monopolization" of the term as feared. Even if the term were placed on the register, it would lack most trademark registration benefits until secondary meaning was demonstrated and it were allowed on the principal register. The USPTO will be able to again consider the genericness arguments at that stage. For the above reasons, we urge the USPTO to allow "CRU" to be added to the Supplemental Register.

EVIDENCE SECTION

| EVIDENCE FILE NAME(S) | |
|------------------------------------|--|
| ORIGINAL PDF FILE | evi_17314201178-232548800_. American Grand Cru Society About Us.pdf |
| CONVERTED PDF FILE(S) (1 page) | \\TICRS\EXPORT16\IMAGEOUT16\856\044\85604483\xml5\ROA0002.JPG |
| ORIGINAL PDF FILE | evi_17314201178-232548800_. cru usage 20130207204609.pdf |
| CONVERTED PDF FILE(S) (5 pages) | \\TICRS\EXPORT16\IMAGEOUT16\856\044\85604483\xml5\ROA0003.JPG |
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| ORIGINAL PDF FILE | evi_17314201178-232548800_. Cru Bistro Wine Bar at...pdf |
| CONVERTED PDF FILE(S) (1 page) | \\TICRS\EXPORT16\IMAGEOUT16\856\044\85604483\xml5\ROA0008.JPG |
| ORIGINAL PDF FILE | evi_17314201178-232548800_. Cr Food Wine Bar _Y...pdf |
| CONVERTED PDF FILE(S) (1 page) | \\TICRS\EXPORT16\IMAGEOUT16\856\044\85604483\xml5\ROA0009.JPG |
| ORIGINAL PDF FILE | evi_17314201178-232548800_. Amarone USPTO.pdf |
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| | \\TICRS\EXPORT16\IMAGEOUT16\856\044\85604483\xml5\ROA0011.JPG |
| DESCRIPTION OF EVIDENCE FILE | Website printouts and other materials in support of non-generic usage of the term "CRU". |
| SIGNATURE SECTION | |
| RESPONSE SIGNATURE | /Kenneth A. Baldwin/ |
| SIGNATORY'S NAME | Kenneth A. Baldwin |
| SIGNATORY'S POSITION | Attorney of Record, California Bar Member |
| SIGNATORY'S PHONE NUMBER | 559-433-1300 |

| | |
|-----------------------------------|---|
| DATE SIGNED | 02/07/2013 |
| AUTHORIZED SIGNATORY | YES |
| FILING INFORMATION SECTION | |
| SUBMIT DATE | Thu Feb 07 23:42:36 EST 2013 |
| TEAS STAMP | USPTO/ROA-XXX.XX.XXX.XXX- 20130207234236173619-8560 4483-50034eb97989c3d9e893 5e260fec837a9e81b38de7983 8bf3ef90d96778862eed-N/A- N/A-20130207232548800731 |

PTO Form 1957 (Rev 9/2005)
OMB No. 0651-0050 (Exp. 07/31/2017)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **85604483** CRU (Stylized and/or with Design, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85604483>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

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EVIDENCE

Evidence in the nature of Website printouts and other materials in support of non-generic usage of the term "CRU". has been attached.

Original PDF file:

[evi_17314201178-232548800 . American Grand Cru Society About Us.pdf](#)

Converted PDF file(s) (1 page)

[Evidence-1](#)

Original PDF file:

[evi_17314201178-232548800 . cru usage 20130207204609.pdf](#)

Converted PDF file(s) (5 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

Original PDF file:

[evi_17314201178-232548800 . Cru Bistro Wine Bar at...pdf](#)

Converted PDF file(s) (1 page)

[Evidence-1](#)

Original PDF file:

[evi_17314201178-232548800 . Cr Food Wine Bar Y...pdf](#)

Converted PDF file(s) (1 page)

[Evidence-1](#)

Original PDF file:

[evi_17314201178-232548800 . Amarone USPTO.pdf](#)

Converted PDF file(s) (2 pages)

[Evidence-1](#)

[Evidence-2](#)

SIGNATURE(S)

Response Signature

Signature: /Kenneth A. Baldwin/ Date: 02/07/2013

Signatory's Name: Kenneth A. Baldwin

Signatory's Position: Attorney of Record, California Bar Member

Signatory's Phone Number: 559-433-1300

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 85604483

Internet Transmission Date: Thu Feb 07 23:42:36 EST 2013

TEAS Stamp: USPTO/ROA-XXX.XX.XXX.XXX-201302072342361

73619-85604483-50034eb97989c3d9e8935e260

fec837a9e81b38de79838bf3ef90d96778862eed

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The American Grand Cru Society® is embarking on a campaign to classify the best in class vineyards across the USA.

Best in class vineyards alone, produce best in class wines. Grand Cru is a universally known trade term to describe best in class vineyards that identify a specific place of origin, and vineyard specific qualities that express themselves in unique wine influences. (This is counter to mass produced wines which may be fine for some, just really not what this endeavor is all about.)

We first set out in late 2006 and early 2007 to protect the term "American Grand Cru®" from being misused in the future. We accomplished this by putting the term in use and properly registering the term with the US Patent and Trade Office providing the protections that ensued. Now the term can not be used legally by any self appointment or marketing campaign. Step one completed.

To keep this focused on a key objective, which is to provide value to the wine consumer first and foremost we now need to build our community of members for The American Grand Cru Society®. That is the objective and we need help from people like you and other passionate wine consumers to help raise membership awareness, and funds. We have put together **some nice benefits** to offer to you for helping to do just that.

[Join Now](#)

Vineyards owners gaining this prestigious status will not pay for the recognition, and will have earned it by virtue of access to the vineyards selected. Those worthy producers with Grand Cru vineyard access will have a formal set of the benefits available to them in making good use of the recognition, for promotional value and for a specific initial period of time. After which being re-certified if you will to protect against any future neglect.

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There is lots more to share, but suffice it to say for now that we have thoroughly mapped out the areas that need to be protected to ensure this will be valuable for wine consumers.


The work ahead is important, and we are looking for wine consumers and members of the trade to join this community in support of these efforts. **The money raised will provide The American Grand Cru Society® support for membership development.**

Thank you for your interest and support. **Please join us today** in this exciting new American wine adventure to classify our best in class, American Grand Cru® Vineyards!



The American Grand Cru Society ®

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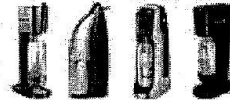
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Has the term 'California Grand Cru' Gone too Far?

Posted on 18 October 2011.



I belong to a professional sommeliers guild and I was intrigued by a conversation that stemmed from a

'members only' message board about the use of 'Grand Cru' on California labels. The discussion started when a certified sommelier questioned the validity of using 'Grand Cru' on a California producer label, Sea Smoke, which recently decided to use this classification on their "Ten" and "Southing" Pinot Noir labels. Having just returned from the Champagne region, I jumped in with both feet (and in a bit of a rant) to defend geographical indicators and names, but the conversation quickly turned to whether or not California should adopt the French wine classification system, and if so, what would the model look like? Would we rank it based on vineyard (Burgundy), village (Champagne) or producer (Bordeaux)?

In hindsight, I was not concerned so much with the marketing aspect or the consideration of creating a California ranking system as much as I was to question the legal aspects of using a 'Grand Cru' designation on American wine labels today. Was there any wrongdoing by doing so? I set out to answer this question.

Starting with the obvious, who uses 'Grand Cru' on their wine labels anyway? Sea Smoke, of course. But are there others? I found a couple of American wineries who use the term as part of their winery name, such as *Grand Cru Winery* in Sonoma County and *Grand Cru Estates* in Oregon. I suspect there are more, but I am excluding the latter as they represent the producer's name rather than a classification. What about vineyards? Saxum in Paso Robles has a vineyard named James Berry, and they claim it is "...one of the iconic grand cru sites of California"—but as far as I know, they do not use 'Grand Cru' on their labels. I could not confirm this as my queries were left unanswered. There are probably other producers that use the term—if they exist, I could not find them.

I suspect Sea Smoke is the first U.S. producer to boldly use 'Grand Cru' on their label. Queried to find the answer, Vice President, General Manager, and Director of Winemaking Victor Gallegos validated my assumption by stating, "I suspect we are the first American producer, but there might be a winery out there that has used the term and we are simply not aware of it." Gallegos confirmed they started using this term with their most recent 2009 release. Why did you decide to use this term—was it a marketing decision, or something else? "Sea Smoke, as a brand and as a company, is all about one special piece of dirt.....the Sea Smoke estate vineyard. The California Grand Cru designation simply reinforces that message to our customers. It would have been unseemly for us to have unilaterally declared ourselves a Grand Cru vineyard...but we thought it reasonable to repeat the words of a noted California wine authority", stated Gallegos. Victor's comment is referring to a Wine Spectator article in which James Laube called Sea Smoke "an important part of Santa Barbara's wine scene and one of its 'grand cru' properties."

One thing for sure is that Sea Smoke is not using this term loosely. They have a defined definition, which should be noted. In France, the French Appellation d'Origine Contrôlée (AOC) controls the 'Grand Cru' definition but it is a bit confusing since its meaning changes based on region. At a high level, Grand Cru is a regional wine classification that designates a vineyard known for its favorable reputation in producing wine. Technically, it is not a classification of wine quality, but rather an indication of vineyard or terroir potential. It is the highest level of classification of AOC wines from Burgundy or Alsace. The same term applies to Saint-Émilion Châteaux, although it does not represent the top tier classification. In Burgundy, premier cru is immediately below grand cru, and is also known as 1er cru. This can get extremely confusing even for wine aficionados with advanced knowledge.

In California, Sea Smoke has its own definition, but Gallegos suspects the opinion in the wine industry will differ widely as it relates to the definition of a Grand Cru vineyard....Sea Smoke's definition includes three components:

1. A vineyard which produces wines of **world-class quality**
2. A vineyard with **distinctive** and recognizable **terroir**
3. A vineyard, which has shown **consistency**, across vintages and across producers

But getting down to the hard facts, who decides classification in California anyway? No one—that's their point. Wines from outside of the traditional wine growing regions of Europe tend to classify by grape rather than by *terroir* or *quality*, although I am aware of Australia's attempt at a quality classification, not to be confused with the American Viticultural Area (AVA), which does not limit the type of grapes grown, the method of vinification, or the crop yield. Their mission is to define a geographical location.

Moving on to a more obvious question, do American producers have a right to use 'Grand Cru' on their label? Meaning, are there any laws that prohibit the use of such a term in the U.S.? On one hand, there are a number of agreements signed to protect geographic indications on an international level. The International Agreement of Trade-Related Aspects of Intellectual Property Rights (a.k.a. TRIPS) administered by the World Trade Organization (WTO) is one of those agreements. Many signatory countries (including the U.S.) have agreed to protect Geographical Indications (GIs) such as Port, Champagne, Napa, etc., and the Center for Wine Origins has been hard at work to protect the GIs. For example, under current law, new producers cannot use the term 'Champagne'. However, the grandfather exception clause allows continued use of geographic indications that were in trademarks in actual use before TRIPS became effective—which is why you still see Korbel's "California Champagne" on American wine shelves. Are Champagne producers and growers happy with this? Absolutely not. This was evident as I sat down to dinner with Champagne producer Bruno Paillard, a story I will cover later.

Digging deep into the Intellectual Property Protection and Enforcement Geographical Indications agreement, I find several references that highlight indications of quality and reputation, as well as positions that speak for misleading the public. Here are the excerpts:

"Geographical indications are defined, for the purposes of the Agreement, as indications which identify a good as originating in the territory of a Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin (Article 22.1). Thus, this definition specifies that the quality, reputation or other characteristics of a good can each be a sufficient basis for eligibility as a geographical indication, where they are essentially attributable to the geographical origin of the good."

"The registration of a trademark which uses a geographical indication in a way that misleads the public as to the true place of origin must be refused or invalidated ex officio if the legislation so permits or at the request of an interested party"

"This applies even where the public is not being misled, there is no unfair competition and the true origin of the good is indicated or the geographical indication is accompanied by expressions such as "kind", "type", "style", "imitation" or the like."

On a follow-up conversation with a WTC official, I asked if the aforementioned excerpts broke any international laws by using the term 'California Grand Cru', and whether or not the term misleads the public as to the true place of origin. The official told Enobytes.com,

"Although the TRIPS Agreement states that geographical indications are related to both the origin and the quality or characteristics of a product, it does not specify how the quality is defined or identified. Nor does it refer to any terms or names that might be used to describe the quality, and what constitutes misuse. That is left up to each country's domestic law to determine. So whether a term is a misuse or misleading in the US would depend on US law. No other country has challenged US law on this point under the WTO dispute settlement system, which is the ultimate arbiter on legal interpretations of WTO Agreements.

Paragraph 1 of Article 1 on “Nature and Scope of Obligations” of the TRIPS Agreement says: “Members shall give effect to the provisions of this Agreement. Members may, but shall not be obliged to, implement in their law more extensive protection than is required by this Agreement, provided that such protection does not contravene the provisions of this Agreement. Members shall be free to determine the appropriate method of implementing the provisions of this Agreement within their own legal system and practice.”

When querying many organizations on this topic, I received a response from Thibaut Le Mailloux, Director of Communications at the Le Comité Interprofessionnel du vin de Champagne (CIVC) which responded, “... we should focus on Grand Cru once wine GI names are protected in the U.S.” This is not to say the CIVC would have direct involvement in this debate. Yet, they are a governing body that supports the Center for Wine Origin’s mission to protect Geographical Indications.

What about the AOC? They must care about expressions such as ‘California Grand Cru’, right? Nope. They only care about governing French regulations, and believe me, they will go after producers who break the rules. You may have heard of a recent story where a Loire producer faced jail time for labeling his wine inappropriately as ‘AOC’, as pun on the initials ‘Anjou Olivier Cousin’, an offense that carries a €37,500 fine or up to two years in prison. But since the AOC only governs French regulations, the Americans have nothing to worry about. However, I still agonize over regional branding as they serve as source-identifiers for consumers. For example, the French use the term ‘Grand Cru’ to represent quality, in a sense. Will using this term in other parts of the world deflate the reputation as an indication for vineyard or terroir potential, which ultimately defines unique quality? I believe the verdict is out on this one, but this seems like an appropriate lead to introduce the specifics of the U.S. /EC Wine Agreement with the Internal Revenue Code of 1986 (IRC), which defines semi-generic names as a name of geographic significance as well as designations for wine ‘class’ and ‘type’. This law specifically dovetails into the TRIPS agreement to state that preexisting uses of semi-generic names on non-European wine are acceptable under the grandfather law, but prohibits new brands from using the names on non-EC wine. An example of a semi-generic name would be something like Burgundy (France), Port (Portugal), Chianti (Italy), Sherry (Spain) and such.

Producer XYZ may continue to use the semi-generic name “Sherry” or “Burgundy” on a label, *provided* they do not change the brand name or fanciful name as they appear on a Certification/Exemption of Label/Bottle Approval (COLA) issued prior to March 10, 2006 from the Alcohol and Tobacco Tax and Trade Bureau (TTB).

So for example, Producer XYZ produces “Smith Elegance California Cream Sherry.” On the label and corresponding COLA, the brand name is “Smith,” the fanciful name is “Elegance,” “Sherry” is the *class* and *type* designation, “Cream” is considered an expression, and “California” is the labeled appellation of origin. Sherry that is not from Spain must be labeled with an appellation of origin.

If you read that last paragraph carefully, you will see how the COLA treats the term ‘Grand Cru’ in its label approval process—it defines it not as a means to qualify classification or quality but rather as an optional fanciful name.

The EU and US agreement also covers expressions. For example, “The US is allowed to use under certain conditions and for a limited period of time, 14 EU traditional expressions: Château, classic, clos, cream, crusted/crusting, fine, late bottled vintage, noble, ruby, superior, sur lie, tawny, vintage and vintage character”, but nowhere in the agreement does the term ‘Grand Cru’ come up.

So what is the conclusion? With no back yard or international governing body, Sea Smoke has every right to do whatever they want with the ‘Grand Cru’ term, and my assumption is that many American producers will

follow in their footsteps.

My only concern is that without defining an agreeable classification for California, we will see things like 'California Grand Cru White Zinfandel' on the shelves and I doubt anyone wants to see the market saturated with this sort of nonsense. At least Sea Smoke has done their due diligence to define what they mean by 'Grand Cru' and they make a quality product to back up their claims. But is this enough?

It will be interesting to see where this topic takes us in the coming months and years...

You may also like -



This post was written by:

[Pamela Heiligenthal](#) - who has written 220 posts on [Enobytes](#).

Editor and co-founder of [Enobytes.com](#), Pamela is a former restaurant manager, wine buyer, and sommelier with WSET, CMS & Center for Wine Origins certification. She has contributed to or been quoted by various publications, including the Los Angeles Times, Sommelier Journal, Vegetarian Times, VIV Magazine, UC-Berkeley Astrobiology News, The Washington Post, the Associated Press, and USA Today. True to her roots, she seeks varietal and appellation integrity and is always passionate about finding the next great bottle of wine.

[Contact the author](#)

57 Responses to "Has the term 'California Grand Cru' Gone too Far?"



1. [Douglas Trapasso](#) says:

[October 18, 2011 at 7:14 PM](#)

Dear Pamela:

This is simply my opinion. One person. But you're about to see the biggest PR disaster since the 9/11 wine. Anyone who is indifferent about wine or thinks he/she can't afford anything decent (i.e. 98.0% of the population) will not be tempted to buy Sea Smoke because of it having "Grand Cru" on the label. The other 2.0% will be profoundly offended (they don't buy American "Chapagne" either) and will



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Other Data

"Applicant has adopted and is exercising legitimate control over the use of the certification mark in commerce. The certification mark, as used by persons authorized by the certifier, certifies a wine produced in the Veneto region of Italy. Applicant is not engaged in and will not engage in the production or marketing of the goods or services to which the mark is applied."

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