



Monday 7 April 2008

Court refuses Glen Breton trademark application

The Scotch Whisky Association (SWA) has welcomed a Canadian Federal Court decision to refuse to register the 'Glen Breton' trademark, for a single malt whisky produced in Canada.

The SWA had objected to the trademark arguing that use of the word 'Glen', which is widely used on Scotch Whisky, for whisky produced in Canada, was confusing and misleading to consumers.

Evidence filed by the SWA included over thirty instances of 'Glen Breton' being mis-described in Canada as 'Scotch Whisky', with examples of confusion found in retail outlets, newspaper articles, pricelists, menus and websites.

The Canadian Federal Court found that "*the trade is confused*" by the trademark, that 'Glen Breton' was often listed in price lists and menus as "*single malt scotch*" and that "*the ultimate consumer who thought he or she was ordering a new Scottish single malt would never know that something else was served*".

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Note to editors:

1. As part of its work to protect and promote Scotch Whisky from unfair competition, at any one time, the SWA can be pursuing up to 70 legal actions and investigating several hundred trademarks worldwide.
2. For further information please contact David Williamson at the SWA on 0131 222 9230 or 07730 496 151.