

## USPTO Trademark Trial and Appeal Board Grants Dismissal of Previously Addressed Claim Against Well-Known Turkish Meat Producer in Trademark Proceeding



# Press Release

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Lippes Mathias today announced the significant dismissal of a claim against its client, Afyon Et ve Et Mamulleri Sanayi ve Ticaret Limited Sirketi (Afyon). Afyon, a well-known Turkish sujuk (sausage) brand had filed a U.S. application for its CUMHURIYET SUCUKLARI trademark, and upon publication, it was challenged on several grounds by Cumhuriyet Meats Corporation (CMC). Lippes' intellectual property team members Matthew D. Asbell and Chintan A. Desai had previously successfully challenged CMC's earlier application to register a nearly identical CUMHURIYET trademark in the United States and relied on the earlier failure of CMC to provide evidence in the discovery process and the resulting decision in favor of Afyon in their motion to dismiss the claim asserting prior rights in the mark.

This is an important interim win because the opposition can no longer challenge Afyon's U.S. trademark application on the grounds that they preceded Afyon. The proceeding will now move forward solely on the basis of CMC's contention that Afyon does not have a bona fide intent to use the mark in U.S. commerce. Ultimately, Lippes' intellectual property team members were able to secure a favorable interim decision that significantly undermined the opposition's position and streamlined the remaining issues.

With extensive knowledge and background in information technology, entertainment, medicine, and a range of other fields, Lippes Mathias partner Matthew Asbell works comfortably and efficiently with clients in diverse industries including in particular the food and beverage industry. He assists clients in clearing, obtaining, enforcing, and defending trademark, design and utility patent, and copyright rights in the United States and throughout the world. Prior to becoming a lawyer, Asbell developed a broad base of knowledge and expertise in roles he held across various industries, managing emerging singer-songwriters and recording artists, training corporate employees in software applications, and at one point, studying medicine at the Medical College of Pennsylvania and Hahnemann University School of Medicine. Asbell received his J.D. from the Benjamin N. Cardozo School of Law in 2007, and in 1993, graduated from Carnegie Mellon University with his B.S. in Psychology and a minor in music.

Chintan Desai focuses his practice on all phases of patent procurement, trademark prosecution, counseling, transactions, and litigation. He represents a broad range of clients, from individual business owners to publicly traded companies, in domestic and international matters. He assists clients with the enforcement of their intellectual property rights and focuses on obtaining practical and advantageous outcomes that align with the client's business interests. Before entering the field of law, Desai was a clinical research study coordinator at the Hospital of the University of Pennsylvania, where he facilitated interaction and collaboration between community, government, and industry stakeholders in several community health research studies. He is a graduate of Rutgers University School of Law and attended undergraduate school at the University of Pennsylvania, where he received a B.S. in bioengineering and a minor in math. In addition to being a member of the Legal Intelligencer's Young Lawyer Editorial Board, Desai is a member of both the South Asian Bar Association of New Jersey and the Asian Pacific American Lawyers Association of New Jersey and Pennsylvania.

### **About Lippes Mathias LLP**

*Lippes Mathias is a full-service law firm with nearly 200 attorneys serving clients regionally, nationally, and internationally. With offices in Buffalo, Clarence, Albany, Long Island, New York, Rochester, Syracuse and Saratoga Springs, N.Y.; Greater Toronto Area; Chicago, Ill.; Jacksonville, Fla.; Cleveland, Ohio; San Antonio, Texas; Oklahoma City, Okla. and Washington, D.C., the firm represents publicly and privately-owned companies, private equity and venture capital firms, independent sponsors, real estate developers, financial institutions, municipalities, governmental entities, and individuals.*

# Related Team



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