

Cour d'appel fédérale

Date: 20100928

Docket: A-503-09

Citation: 2010 FCA 248

CORAM: PELLETIER J.A.

TRUDEL J.A. STRATAS J.A.

BETWEEN:

JOSE CUERVO S.A. DE C.V.

Appellant

and

BACARDI AND COMPANY LIMITED AND REGISTRAR OF TRADE-MARKS

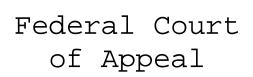
Respondents

Heard at Ottawa, Ontario, on September 28, 2010.

Judgment delivered from the Bench at Ottawa, Ontario, on September 28, 2010.

REASONS FOR JUDGMENT OF THE COURT BY:

PELLETIER J.A.





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<u>REASONS FOR JUDGMENT OF THE COURT</u> (Delivered from the Bench at Ottawa, Ontario, on September 28, 2010)

PELLETIER J.A.

[1] The appeal will be dismissed with costs for substantially the reasons given by the Federal Court, as reported as 2009 FCC 1166.

"J.D. Denis Pelletier"
J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-503-09

STYLE OF CAUSE: JOSE CUERVO S.A. DE C.V. AND

BACARDI AND COMPANY LIMITED AND REGISTRAR OF

TRADE-MARKS

PLACE OF HEARING: OTTAWA, ONTARIO

DATE OF HEARING: SEPTEMBER 28, 2010

REASONS FOR JUDGMENT OF THE COURT BY: PELLETIER J.A.

TRUDEL J.A. STRATAS J.A.

DELIVERED FROM THE BENCH BY: PELLETIER J.A.

APPEARANCES:

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CHANTAL BERTOSA

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LIMITED

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