



AT THE BAR WITH BOWDITCH

A Legal Blog for the Craft Brewing Community

What's In A Name? Budweiser opposes trademark application for "The Queen of Beers"

BY ROBERT G. YOUNG • SEPTEMBER 23, 2015

For decades, Budweiser has been known as the "King of Beers." While this lofty (though self-proclaimed) status surely has its benefits, as William Shakespeare observed centuries ago: "Uneasy lies the head that wears a crown." (Henry IV, Part 2, Act 3, Scene 1.)

She Beverage Co., a women-owned company from Lancaster, California, is the latest challenger to the throne. Last December, She Beverage filed an application with the U.S. Patent and Trademark Office to register the name "The Queen of Beer" for use in the marketing of one of its core products, "SHE Beer." However, Anheuser-Busch, LLC, longtime holder of the "King of Beers" trademark, has opposed this application, claiming that "The Queen of Beer" tagline is too similar to its trademark, creating the possibility that consumers will become confused and incorrectly believe that Anheuser-Busch is involved in the production of SHE Beer. The U.S. Patent and Trademark Office has not yet completed its review of this dispute.

Anheuser-Busch's filing highlights a growing trend of brewers, even craft brewers, seeking to protect their brand identity through all available means — including legal challenges — to keep potential competitors at bay. As more and more brewers enter the marketplace, the competition for naming rights (both for breweries and for individual beers) is sure to heat up.