

VEX LABEL DESIGN — 1007098

Application number

1007098

Registration number

TMA614510

Type(s)

Design

Category

Trademark

CIPO Status

REGISTERED

TM5 status

LIVE/REGISTRATION/Issued
and Active



The trademark application has
been registered with the Office.

Filed

1999-03-02

Registered

2004-07-09

Registration Expiry Date

2029-07-09

Registered Owner

Arterra Wines Canada, Inc.
441 Courtney Park Drive East
Mississauga
ONTARIO L5T2V3

Agent

MCCARTHY TETRAULT LLP
745 Thurlow Street, Suite 2400
Vancouver
BRITISH COLUMBIA V6E0C5

Documents

[View documents](#)

Trademark description

The wording below VEX HARD LEMONADE is as follows: 341 mL, 7.0% alc/vol, ALCOHOLIC BEVERAGE, BOISSON ALCOOLISÉE.

Disclaimer text

The right to the exclusive use of all the reading matter except the word VEX is disclaimed apart from the trademark.

Index headings

V VEX HARD LEMONADE ALCOHOLIC BEVERAGE BOISSON
ALCOOLISÉE

Vienna information (Code & Description)

3.4.1	Bovines
A 3.4.4	Bisons, bulls
3.4.13	Heads of animals of series IV, with horns
A 3.4.24	Animals of series IV stylized, in shadow or in silhouette
3.6.1	Parts of the bodies of quadrupeds or of quadrupeds, skeletons, skulls
A 3.6.6	Horns
26.1.2	Ellipses
A 26.1.3	One circle or ellipse
A 26.1.15	Circles or ellipses containing representations of animals, parts of animals' bodies or plants
A 26.1.18	Circles or ellipses containing one or more letters
26.4.2	Rectangles
A 26.4.5	One quadrilateral
26.4.10	Quadrilaterals containing one or more circles, ellipses or polygons
A 26.4.17	Quadrilaterals containing one or more numerals
A 26.4.18	Quadrilaterals containing one or more letters
A 26.4.24	Quadrilaterals with dark surfaces or parts of surfaces
27.3.1	Letters or numerals representing a human being or a part of the human body, an animal or a part of an animal's body, a plant, a heavenly body, a natural phenomenon or an object
A 27.3.3	Letters or numerals representing an animal or a part of an animal's body
27.5.1	Letters presenting a special form of writing
A 27.5.8	Letters linked to or containing a figurative element -- Note: Letters representing a human being or a part of the human body, an animal or a part of an animal's body, a plant, a heavenly body, a natural phenomenon or an object are classified in division 27.3.
A 27.5.21	One letter

Goods (Nice class & Statement)

(1) Distilled alcoholic beverages, namely vodka-based coolers.

Classification data

Disclaimer

The classification data is provided for information and searching purposes only. CIPO does not warrant the accuracy of the classes assigned to the trademark. This data has no legal value of any kind.

33 - Wines and spirits

Claims

Declaration of Use filed May 31, 2004

Recordals (known also as Footnotes)

CHANGE IN TITLE / CHANGEMENT EN TITRE:

TYPE OF CHANGE / GENRE DE CHANGEMENT: Name and Address /
Nom et adresse

DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2012-08-02

DATE OF CHANGE / DATE DE CHANGEMENT: 2012-06-01

COMMENTS / COMMENTAIRES: FROM: VINCOR INTERNATIONAL
INC.

TO: Constellation Brands Canada, Inc.

Voir Preuve au dossier/See evidence on File No. 167307

Security Agreement Placed on File / Accord de sécurité inscrit au dossier

DATE RECORDED / DATE CONSIGNEE: 2016-07-29

DATE OF CHANGE / DATE DE CHANGEMENT: 2016-07-29

COMMENTS / COMMENTAIRES: THE BANK OF NOVA SCOTIA, as
Agent.

Voir Preuve au dossier/See evidence on File No. 155536

Security Agreement Placed on File / Accord de sécurité inscrit au dossier

DATE RECORDED / DATE CONSIGNEE: 2017-01-11

DATE OF CHANGE / DATE DE CHANGEMENT: 2017-01-09

COMMENTS / COMMENTAIRES: Morgan Stanley Senior Funding, Inc.,
administrative agent and collateral agent

Voir Preuve au dossier/See evidence on File No. 155536

Security Agreement Placed on File / Accord de sécurité inscrit au dossier

DATE RECORDED / DATE CONSIGNEE: 2017-01-11

DATE OF CHANGE / DATE DE CHANGEMENT: 2017-01-10

COMMENTS / COMMENTAIRES: Wilmington Trust, National
Association, as administrative agent and collateral agent

Voir Preuve au dossier/See evidence on File No. 155536

Security Agreement Removed / Accord de sécurité retiré

DATE RECORDED / DATE CONSIGNEE: 2017-01-11

DATE OF CHANGE / DATE DE CHANGEMENT: 2017-01-10

COMMENTS / COMMENTAIRES: The Bank of Nova Scotia, as Agent

Voir Preuve au dossier/See evidence on File No. 155536

CHANGE IN TITLE / CHANGEMENT EN TITRE:

TYPE OF CHANGE / GENRE DE CHANGEMENT: Name and Address /
Nom et adresse

DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2017-01-17

DATE OF CHANGE / DATE DE CHANGEMENT: 2016-12-17

COMMENTS / COMMENTAIRES: FROM: Constellation Brands Canada,
Inc.

TO: 9941762 Canada Inc.

Voir Preuve au dossier/See evidence on File No. 155536

Owner Address Change / Changement d'adresse du propriétaire

DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2017-03-10
 COMMENTS / COMMENTAIRES: Voir Preuve au dossier/See evidence on File No. 155536

CHANGE IN TITLE / CHANGEMENT EN TITRE:

TYPE OF CHANGE / GENRE DE CHANGEMENT: Name and Address / Nom et adresse

DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2017-07-27

DATE OF CHANGE / DATE DE CHANGEMENT: 2017-05-15

COMMENTS / COMMENTAIRES: FROM: 9941762 Canada Inc.

TO: Arterra Wines Canada, Inc.

Voir Preuve au dossier/See evidence on File No. 1834918

Security Agreement Removed / Accord de sécurité retiré

DATE RECORDED / DATE CONSIGNEE: 2018-08-31

DATE OF CHANGE / DATE DE CHANGEMENT: 2018-08-30

COMMENTS / COMMENTAIRES: Wilmington Trust, National Association, as administrative agent and collateral agent

Voir Preuve au dossier/See evidence on File No. 155536

Security Agreement Removed / Accord de sécurité retiré

DATE RECORDED / DATE CONSIGNEE: 2021-01-21

DATE OF CHANGE / DATE DE CHANGEMENT: 2021-01-20

COMMENTS / COMMENTAIRES: Morgan Stanley Senior Funding, Inc., as Agent

Voir Preuve au dossier/See evidence on File No. 1359309

Security Agreement Placed on File / Accord de sécurité inscrit au dossier

DATE RECORDED / DATE CONSIGNEE: 2021-03-16

DATE OF CHANGE / DATE DE CHANGEMENT: 2021-03-16

COMMENTS / COMMENTAIRES: Credit Suisse AG, Cayman Islands Branch, as administrative agent

Voir Preuve au dossier/See evidence on File No. 1359053

Amended Security Agreement Placed on File / Accord de sécurité modifié inscrit au dossier

DATE RECORDED / DATE CONSIGNEE: 2025-01-13

DATE OF CHANGE / DATE DE CHANGEMENT: 2025-01-13

COMMENTS / COMMENTAIRES: Merged with Cedit Suisse AG to continue as UBS AG

Voir Preuve au dossier/See evidence on File No. 1967987

Action History

Action	Action date	Due date	Comments
Filed	1999-03-02		
Created	1999-03-12		
Formalized	1999-03-22		
Search Recorded	1999-11-24		
Examiner's First Report	2000-03-30	2000-07-30	
Extension of Time	2000-08-08	2001-01-30	Request Letter Date: 2000 /07/21
Agent Name Changed	2001-01-08		
Rep for Service Name Changed	2001-01-08		
Extension of Time	2001-02-15	2001-07-30	Request Letter Date: 2001 /01/29
			Defaulting Action Date:

Default Notice Sent	2001-08-27	2001-10-29	2000/03/30
Extension of Time	2001-11-15	2002-04-29	Request Letter Date: 2001 /11/08
Extension of Time	2002-05-15	2002-10-29	Request Letter Date: 2002 /05/02
Extension of Time	2002-10-15	2002-12-16	Request Letter Date: 2002 /10/03
Clerical Correction	2003-01-20		Re-scanned design
Approved	2003-02-10		
Advertised	2003-03-26		Vol.50 Issue 2526
Opposed	2003-06-02		Opposition Filed.
Opposition Removed	2004-04-29		Case Closed - Opponent Withdraws 91
Allowed	2004-04-30		
Allowance Notice Sent	2004-04-30	2004-10-30	
Registered	2004-07-09	2019-07-09	
Amendment to Registration	2012-08-02		Name and Address / Voir Preuve au dossier/See evidence on File No. 167307
Security Interest Placed	2016-07-29		Security Agreement Placed on File / Voir Preuve au dossier/See evidence on File No. 155536
Security Interest Placed	2017-01-11		Security Agreement Placed on File / Voir Preuve au dossier/See evidence on File No. 155536
Security Interest Placed	2017-01-11		Security Agreement Placed on File / Voir Preuve au dossier/See evidence on File No. 155536
Security Interest Removed	2017-01-11		Security Agreement Removed / Voir Preuve au dossier/See evidence on File No. 155536
Amendment to Registration	2017-01-17		Name and Address / Voir Preuve au dossier/See evidence on File No. 155536
Amendment to Registration	2017-03-10		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 155536
Amendment to Registration	2017-07-27		Name and Address / Voir Preuve au dossier/See evidence on File No. 1834918
Nice Classification			

Courtesy Letter Sent	2018-01-19		
Security Interest Removed	2018-08-31		Security Agreement Removed / Voir Preuve au dossier/See evidence on File No. 155536
Renewed	2019-07-09	2029-07-09	DP:2019/06/12 RD:2019/06/12 RR:(2975) GOODMANS LLP
Security Interest Removed	2021-01-21		Security Agreement Removed / Voir Preuve au dossier/See evidence on File No. 1359309
Security Interest Placed	2021-03-16		Security Agreement Placed on File / Voir Preuve au dossier/See evidence on File No. 1359053
Agent Changed	2022-10-20		From/De: 2975 To/A: 6158
Security Interest Amended	2025-01-13		Amended Security Agreement Placed on File / Voir Preuve au dossier/See evidence on File No. 1967987

Opposition History

Case # 1 : Jim Beam Brands Co. - Closed

General Actions - Opposition

Action	Action date	Due date
Case Closed - Opponent Withdraws	2004-04-29	

Statement of Opposition

Action	Action date	Due date
Extension of Time Granted to Opponent	2003-06-05	
With Consent - Extension of Time Granted to Opponent	2003-09-17	
With Consent - Extension of Time Granted to Opponent	2003-10-08	
With Consent - Extension of Time Granted to Opponent	2004-01-06	
With Consent - Extension of Time Granted to Opponent	2004-01-29	
With Consent - Extension of Time Granted to Opponent	2004-04-01	
Deadline to File S/O	2004-04-01	2004-06-23