



In The Press: WTR turns to Max Vern for input on Cracker Barrel trademark conflict

- Jack Ellis, *World Trademark Review*, February 12, 2013

WTR turns to Max Vern for input on Cracker Barrel trademark conflict.

Max Vern, senior counsel at Amster Rothstein & Ebenstein, advises that brand owners considering extensions should undertake requisite due diligence and err on the side of caution to avoid encroaching on another earlier brand that – like Kraft’s Cracker Barrel – appears to enjoy significant goodwill due to extensive use and strong marketplace positioning. “The fact that Kraft ‘tolerated’ CBOCS’ restaurant chain activities in connection with certain food items in a limited format would not create an estoppel for Kraft compelling them to acquiesce to expansion of [CBOCS’] range of goods,” he says...

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