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ARTICLE

TTAB Refuses Co-Existence Agreement

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This article discusses the precedential decision issued by the Trademark Trial and Appeal Board (TTAB) in *In re Bay State Brewing Company, Inc*, in which the TTAB affirmed a likelihood of confusion refusal, notwithstanding of the fact that the parties at issue had entered into a consent agreement. The holding serves as a reminder that despite the great weight typically afforded to Consent Agreements, the TTAB is not obligated to accept them if reasonable circumstances still exist for creating confusion in the marketplace.

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