



Pernod Ricard USA to continue fight against misuse of 'Havana Club' name in the US

Pernod Ricard USA to consider options following decision from Court of Appeals

Purchase, N.Y., August 4, 2011

Pernod Ricard USA pledged to continue to fight against a competitor's use of the "Havana Club" name in the United States for non-Cuban rum following today's controversial ruling by a three-judge panel of the US Court of Appeals for the Third Circuit. The panel refused to block Bacardi from using the "Havana Club" name in the United States to sell its non-Cuban spirit despite evidence that the name misleads consumers into believing that Bacardi's "Havana Club" rum comes from Cuba.

Significantly, the panel noted that this decision does **not** give Bacardi **any** trademark rights in the "Havana Club" name. In that connection, the panel acknowledged that the U.S. Patent and Trademark Office has refused Bacardi's attempt to register various Havana trademarks (such as Havana Select, Old Havana and Havana Primo) because those marks would deceive purchasers into believing that the rum came from Cuba.

In 2006 Bacardi began to distribute in small quantities in the United States its own spirit under the "Havana Club" label. Yet, the Bacardi bottle contains rum made in Puerto Rico and not in Cuba, as the name implies.

For more than 15 years, millions of cases of authentic Cuban rum have been marketed outside the United States under the name "Havana Club" by a joint venture between Pernod Ricard S.A. and Corporación Cuba Ron. In the United States, the joint venture's "Havana Club" rum cannot be sold because of the embargo on Cuban products.

Ian FitzSimons, General Counsel of Pernod Ricard, said, "*We disagree with the court's decision, which is unfair to consumers in the United States who are being deceived by a product labelled "Havana" which has no connection whatsoever with Cuba. It is important to note that this decision does not grant any right in the 'Havana Club' trademark to Bacardi. We are determined to continue to fight for fair competition in the United States market where ownership of the 'Havana Club' trademark dates back to 1976.*"

Pernod Ricard USA's parent company, the French wine and spirits distributor Pernod Ricard S.A., is a partner in the Havana Club joint venture that has always successfully defended its ownership of the "Havana Club" trademark in over 120 countries where the Cuban rum is registered and commercialized. The extremely successful sale of Cuban "Havana Club" rum in the rest of the world is unaffected by today's decision.

About Pernod Ricard

Pernod Ricard is the world's co-leader in wines and spirits with consolidated sales of € 7,081 million in 2009/10. Created in 1975 by the merger of Ricard and Pernod, the Group has undergone sustained development, based on both organic growth and acquisitions: Seagram (2001), Allied Domecq (2005) and Vin & Sprit (2008).

Pernod Ricard holds one of the most prestigious brand portfolios in the sector: Absolut Vodka, Ricard pastis, Ballantine's, Chivas Regal, Royal Salute and The Glenlivet Scotch whiskies, Jameson Irish Whiskey, Martell cognac, Havana Club rum, Beefeater gin, Kahlúa and Malibu liqueurs, Mumm and Perrier-Jouët champagnes, as well as Jacob's Creek, Brancott Estate, Campo Viejo and Graffigna wines.

Pernod Ricard employs a workforce of 18,000 people covering 70 markets worldwide. Pernod Ricard is strongly committed to a sustainable development policy and encourages responsible consumption.

Pernod Ricard's strategy and ambition are based on 3 key values that guide its expansion: entrepreneurship spirit, mutual trust and a sense of ethics.

Pernod Ricard is listed on the NYSE Euronext exchange (Ticker: RI; ISIN code: FR0000120693) and is a member of the CAC 40 index.

Please visit our website for more information: www.pernod-ricard.com



Pernod Ricard

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