

## BREWERY TO STARBUCKS: HERE'S \$6

By Jim Salter, The Associated Press  
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ST. LOUIS — A small Missouri brewery has responded to a cease and desist letter from Starbucks by sending the coffee chain giant a check to cover what it calls the profit from use of the word "Frappicino" — a check for \$6.

Starbucks asked a brewery to stop using the name "Frappicino," spelled similarly to its blended beverages.

Exit 6 Pub and Brewery in the St. Louis suburb of Cottleville named one of its brews the Frappicino, spelled just slightly differently than the name that Starbucks uses for its blended beverages. That prompted an attorney for Starbucks Coffee Co. to send Exit 6 a letter Dec. 9.

The letter from attorney Anessa Owen Kramer noted that the Seattle-based company "is the owner of a number of world-famous trademarks, including the well-known FRAPPUCCINO trademark." It said that the words are "phonetically identical" and that Exit 6's use of Frappicino "is likely to cause confusion, mistake."

In his [sarcastic response letter](#), Exit 6 owner Jeff Britton also wrote that the brewery "never thought that our beer drinking customers would have thought that the alcoholic beverage coming out of the tap would have actually been coffee from one of the many, many, many stores located a few blocks away."

Exit 6 posted the letter on its Facebook site and responded with a letter to Kramer and "Mr. Bucks." The letter said Exit 6 would no longer use the term "Frappicino" and would instead refer to its beer as the "F Word."

Britton said in a telephone interview Tuesday that he brewed up a new batch of "The F Word" last Friday. By then, the dispute was already drawing attention on social media, and the beer sold out in three hours. He's contemplating making more, based on the calls, emails and Facebook messages of support he said he's received from around the world.

"It's been unbelievable," Britton said. "People are just saying, 'Hey, read the story, good job.' I'm getting emails and Facebook messages from Germany, China, England. People are just clamoring for it."

Starbucks spokeswoman Laurel Harper said the company was glad the brewery agreed to stop using the name.

"This was a respectful request asking Exit 6 to refrain from using the term 'Frappicino,' which differs by only one letter from our 'Frappuccino' product," she said by telephone. (Technically, it differs by two.)

"We always prefer to resolve trademark disputes informally and amicably, and we appreciate them respecting our request to avoid confusion among customers."

Dear Ms Owen Kramer  
cc Mr Bucks

I represent Exit 6 Pub and Brewery LLC d/b/a "Exit 6". I am writing in response to your letter dated 12/9/13 in regards to the "Frappuccino" (at risk of further lawsuits, heretofore known as "The F Word") beer listed on Untappd. As you probably don't know, Exit 6 is the proud owner of no trademarks including our own name much less than the name "F Word" and nothing about Exit 6 is incontestable.

Exit 6 has proudly sold at least 38 drinks in Cottleville MO and has a strong presence in St Charles county, a suburb 40 miles outside the St Louis metropolis. It has recently come to Exit 6 Pub and Brewery's attention that there were 3 check ins to the beer with a very similar name to the "F Word". Unfortunately it was only similar to the F Word because we meant to call it the same thing. Lucky for us, we're poor spellers.

I would like for both Ms Owen Kramer and Mr Bucks to rest assured we meant no deception, confusion, or mistaking in the naming of the beer F Word. We never thought that our beer drinking customers would have thought that the alcoholic beverage coming out of the tap would have actually been coffee from one of the many, many, many stores located a few blocks away. I guess that with there being a Starbucks on every corner of every block in every city that some people may think they could get a Starbucks at a local bar. So that was our mistake.

We want to be sure that Ms Owen Kramer and Mr Bucks know that Exit 6 and the 3 customers that checked into the beer known as the F Word feel just awful about calling a beer the F Word. We are bad people. We feel shame. But know this, Exit 6 has ceased and desisted all use of the F Word and there will be absolutely no further use of the F Word in the naming of any further Exit 6 beers. We tried to contact the website Untappd to tell them to remove the beer called F Word but it looks like you guys beat us to it. Those lawyer fees go a long way. We also promise to stop production of our "Starbucks-McDonalds-Coca Cola-Marlboro Honey Lager" for fear of further repercussions.

Furthermore, in an effort to remain in good standing with Starbucks and Mr Bucks in general, please find enclosed a check for the full amount of profit gained from the sale of those 3 beers. Please apply the enclosed \$6.00 towards the legal fees Ms Owen Kramer received for her efforts in nabbing Exit 6 in our dastardly F Word naming practices. We realize Mr Bucks probably paid her more than Exit 6 made last year. We just want to help a business like Starbucks. Us small business owners need to stick together.