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## Bellows International and Cardow Inc. Clash in Court Over 'Magens Bay Rum' Trademark

**Bellows International, a longtime producer of 'Magens Bay Rum,' has filed a lawsuit against Cardow Inc., accusing the jewelry retailer of trademark infringement after Cardow began selling rum under the same name, leading to consumer confusion**

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A local rum manufacturer is suing another business for trademark infringement, after it began selling rum using a similar name.

Island Saint LLC, doing business as Bellows International, has been selling rum under the trademark “Magens Bay Rum” since late 2005, according to the complaint filed on Thursday in the V.I. District Court. The branding is a result of an exclusive deal with Magens Bay Authority to

provide rum using the Magens Bay name.



### *Labels from Bellows International's Magens Bay Rum*

Since initial sales began in October 2005, volume has grown from 79 cases to 1,158 cases in 2003. In total, Bellows has sold over 122,000 bottles of Magens Bay Rum over the years, generating “well over” \$458,000 in revenue.

Somewhere around May 2024, the complaint contends, Cardow Inc., which is known for its jewelry products, reportedly registered the trade name “Magens Bay Rum” with the Government of the Virgin Islands, and began selling product under that name.

Cardow’s product, according to the complaint, “uses identical imitations of Bellows’ MAGENS BAY RUM mark in a manner that is likely to cause consumer confusion and deceive the public.” Bellows says that Cardow’s actions are “irreparably” harming its brand. One consequence of Cardow’s actions, the complaint says, is that the Department of Licensing and Consumer Affairs issued a cease and desist letter to Bellows, due to Cardow’s trade name registration.

The cease and desist ordered Bellows to halt the sale of the rum it had been marketing for almost 20 years, “even though Bellows had previously properly registered its label with DLCA,” including as recently as 2016 when they changed the labels of both the white and gold rum variants.

To make matters worse, Bellows alleges that Cardow has begun selling bottles of its own product “to the very same retail and restaurant establishment where Bellows had been selling its brand for the prior 19 years.”



*The “impostor” bottles according to the complaint, sold by Cardow Inc.*

Bellows is asking the court to declare that it has “a clear entitlement to a common law trademark,” based on its “exclusive and extensive use of the mark in the jurisdiction.” The company also asks the court to find that there has been federal trademark infringement as well as common law trademark infringement from Cardow using the name Magens Bay Rum, and thus order a preliminary and permanent injunction preventing Cardow from continuing to use the mark. Bellows is also asking for damages for unfair competition, and unfair business practices on the part of Cardow.

As of press time, Cardow had not responded to the complaint.

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