

Franzia's Boxed Wine Packaging Redesign “Jammed” Up in Trademark Dispute

April 13, 2020 – The TMCA

by David Tseng

On April 1, 2020, JaM Cellars filed a trademark infringement lawsuit against The Wine Group, makers of the popular Franzia brand boxed wine. Plaintiff JaM Cellars is the owner of trademarks relating to the word JAM used in wine products (U.S. Trademark Registration Nos. 3,787,229 and 3,855,785). According to the complaint, since being introduced in 2009, wine using the JAM marks has received several awards, and JaM Cellars has expended millions of dollars in advertising the wine using the JAM marks.

JaM Cellars filed the [complaint](#) in the U.S. Federal Court in the Northern District of California. In addition to allegations of trademark infringement, the complaint also includes unfair competition claims under federal and state law.

The dispute between the parties arose out of the sale and advertising of Franzia's “Bold and Jammy” brand of Cabernet Sauvignon. According to the suit, Franzia has undertaken the “first major marketing campaign in thirty-five years for [the] Franzia brand, which includes a full packaging revamp, as well as new products and line extensions.” One of the results of the marketing campaign has been the BOLD & JAMMY wine, sold in packaging JaM Cellars alleges is distinctive from Franzia's usual design for other wines in the Franzia line.

Related Capabilities

- Trademark, Copyright + Advertising
- Intellectual Property Litigation



The complaint alleges that Franzia's use of BOLD & JAMMY infringes the JAM marks and that Franzia's packaging has imitated certain unregistered trade dress elements of JaM Cellar's packaging.

