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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

MOËT HENNESSY USA, INC.,
 a Delaware corporation,

Plaintiff,

vs.

ACE OF SPADES HOLDINGS, LLC, a
 Delaware limited liability company,
 ARMAND DE BRIGNAC HOLDINGS, LLC,
 a Delaware limited liability company, and
 SOVEREIGN BRANDS, LLC, a Delaware
 limited liability company,

S.D. of N.Y. Defendants.

Civ. Action No. _____

COMPLAINT

JURY TRIAL DEMANDED

FILED
 U.S. DISTRICT COURT
 12 AUG 24 PM 2:31

Plaintiff Moët Hennessy USA, Inc. (“Plaintiff” or “Moët Hennessy”), by and through its attorneys, for its Complaint against Defendants Ace of Spades Holdings, LLC, Armand de Brignac Holdings, LLC, and Sovereign Brands, LLC (collectively, “Defendants” or “Armand de Brignac”) for violation of the Lanham Act, the New York General Business Law, and the common law, states as follows:

NATURE OF THE DISPUTE

1. Moët Hennessy imports and markets some of the finest champagnes in the world, including Dom Pérignon, Moët & Chandon, Veuve Clicquot, and Ruinart branded champagnes. These champagnes compete with Armand de Brignac branded champagnes both in the United States and globally.

2. The claims asserted in this complaint arise out of Armand de Brignac’s deliberate efforts to mislead and deceive consumers in the United States and abroad into believing that the entire line of Armand de Brignac branded champagnes are currently “Rated the No. 1 Champagne in the World” (the “**False Statement**”). This statement is literally false concerning an inherent quality and characteristic of Armand de Brignac’s champagne.

3. Only one of Armand de Brignac’s *cuvées*¹ of champagne – its Brut Gold champagne – ever received the number one rating by Fine Champagne Magazine, and that rating occurred in 2010. Since then, Armand de Brignac’s Brut Gold champagne has fared much worse in that periodical’s testing, rated No. 23 in 2011 and No. 22 in 2012. Moreover, Armand de Brignac’s other *cuvées* of champagne, such as the Blanc de Blancs and the Rosé, were *never* rated number one, even in the outdated 2010 study. Therefore, Armand de Brignac’s global advertisements claiming to be the “No. 1 Champagne in the World” are literally false, and

¹ As used in the Complaint, *cuvée* refers to a specific blend of champagne bottled under a single label.

deceive, mislead and confuse consumers into believing that all Armand de Brignac *cuvées* are currently rated the number one champagne in the world. As a result of Armand de Brignac's false and misleading advertisements, Plaintiff and its brands of famous champagnes have been injured.

4. In particular, Armand de Brignac has targeted Plaintiff's Dom Pérignon brand in its false and misleading advertisements. In certain advertisements and promotional material, Armand de Brignac lists outdated rankings for Armand de Brignac and Dom Pérignon, showing Armand de Brignac Brut Gold as rated No. 1, without disclosing that this ranking was limited to the 2010 test, and listing the 2000 Dom Pérignon as rated No. 2 and the 1998 Dom Pérignon Rosé as rated No. 7, thereby falsely conveying to consumers that Dom Pérignon's champagnes are currently rated lower than the Armand de Brignac Brut Gold (the "**False Comparative Ad**"). The False Comparative Ad is particularly egregious considering that, in both the 2011 and 2012 ratings from Fine Champagne Magazine, multiple blends of Dom Pérignon champagne have scored higher than even the highest-rated Armand de Brignac champagne.

5. Moët Hennessy has explicitly put the Defendants' affiliates on notice of the injury that these false and deceptive advertisements have caused and has demanded that Defendants cease and desist from using them. Earlier this year, Dom Pérignon discovered use of the False Comparative Ad and False Statement in Europe, including on Armand de Brignac's website homepage – www.armanddebrignac.com – as well as in its spring/summer newsletter and the promotional brochure in its bottle case. In response to Dom Pérignon's cease and desist letter, Armand de Brignac confirmed that it had made the requested changes.

6. Moët Hennessy has discovered, however, that Armand de Brignac is intentionally misleading consumers. Armand de Brignac is using the False Comparative Ad in the United

States in point-of-sale materials as well as elsewhere in the world. Armand de Brignac is making widespread use of the False Statement, not only in social media and other advertisements but in the boxes containing Armand de Brignac's Brut Gold and Rosé *cuvées* of champagne sold at retail to consumers, which include a promotional brochure, the cover of which contains the False Statement. Only on the homepage of Armand de Brignac's website is there any disclaimer, which not only is an inconspicuous footnote that fails to cure Armand de Brignac's deception, but may not even be visible to certain website visitors, depending on their browser settings.

7. Moët Hennessy seeks to restrain and enjoin Armand de Brignac, both in the United States and abroad, from using advertising and promotional materials that contain the False Statement or the False Comparative Ad, to have the false promotional brochure removed from all boxes and other packaging for any *cuvées* of Armand de Brignac champagne, and from otherwise making the False Statement, using the False Comparative Ad, or making other false and misleading advertisements concerning the rating or ranking of its champagnes. Moët Hennessy also seeks monetary damages resulting from Defendants' false and deceptive advertisements. Because Armand de Brignac's misconduct is knowing and intentional, Moët Hennessy is entitled to treble damages, punitive damages, costs, and attorneys' fees.

PARTIES

8. Plaintiff Moët Hennessy is a Delaware corporation with its principal place of business located at 85 Tenth Avenue, New York, New York 10011.

9. On information and belief, Defendant Ace of Spades Holdings, LLC, a Delaware limited liability company with a principal place of business located at 480 Broome Street, Suite 2, New York, New York, 10013, has been and is doing business in this District, advertising, promoting and distributing its champagnes under the brand Armand de Brignac.

10. On information and belief, Defendant Armand de Brignac Holdings, LLC, a Delaware limited liability company with a principal place of business located at 480 Broome Street, Apartment 2, New York, New York, 10013-2250, has been and is doing business in this District, advertising, promoting and distributing its champagne under the brand Armand de Brignac.

11. On information and belief, Defendant Sovereign Brands, LLC, a Delaware limited liability company with a principal place of business located at 81 Greene Street, Apartment 2, New York, New York, 10012-5349, has been and is doing business in this District, advertising, promoting and distributing its champagne under the brand Armand de Brignac.

JURISDICTION

12. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331 with respect to the claims arising out of federal law. This Court also has original jurisdiction pursuant to 28 U.S.C. § 1338(a) with respect to Moët Hennessy's claims under 15 U.S.C. § 1125(a), which arise under the federal unfair competition laws. In addition, the Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367 with respect to the claims arising under state law, which are so related to the federal claims brought herein as to form part of the same case or controversy.

13. Venue is proper in this District under 28 U.S.C. § 1391(b) because a substantial part of the acts giving rise to the claims occurred in this jurisdiction.

FACTUAL BACKGROUND

A. Moët Hennessy.

14. Moët Hennessy is a leading marketer and importer of luxury wines and spirits in the United States. The Moët Hennessy portfolio includes renowned brands such as Moët & Chandon, Dom Pérignon, Veuve Clicquot and Ruinart champagnes, as well as other spirits

including Hennessy cognac, Belvedere vodka, 10 Cane rum, Grand Marnier, Glenmorangie and Ardbeg single malt Scotch whiskies, and several fine wines.

15. Paying homage to the Benedictine monk who helped pioneer the art of champagne production, Dom Pérignon is one of the most exceptional champagnes in the world. Dom Pérignon's first vintage was in 1921. Shortly thereafter, Dom Pérignon was exported to the United States. Dom Pérignon has been uncorked at some of the grandest of twentieth century celebrations, including the wedding of Lady Diana Spencer and Prince Charles in 1981.

16. Today, Dom Pérignon continues to be marketed and distributed in the United States and throughout the world. Dom Pérignon produces vintage champagne, *i.e.*, champagne produced from only one year's harvest. While no harvest is quite like any other, Dom Pérignon can primarily be categorized by its three different labels: its classic brut with its gold label; its rosé with a pink label; and its perfectly matured oenothèque with black and silver (white) and black and pink labels (rosé).

17. Moët & Chandon, Veuve Clicquot and Ruinart are also among the world's most exceptional champagnes. Marketed and distributed in both the United States and abroad, these other Moët Hennessy brands are also offered in several different *cuvées*, most notably the classic brut and the elegant rosé.

B. Armand de Brignac.

18. Armand de Brignac also markets and sells champagne both in the United States and abroad. Upon information and belief, all bottles of Armand de Brignac are branded with the company's signature Ace of Spades insignia.

19. According to its website www.armanddebrignac.com, Armand de Brignac is non-vintage champagne made from a blend of "three distinct vintages," *i.e.*, three different harvests of grapes.

20. Armand de Brignac produces and distributes three different *cuvées*: (1) Armand de Brignac Brut Gold, (2) Armand de Brignac Rosé, and (3) Armand de Brignac Blanc de Blancs. All three *cuvées* compete with champagnes marketed and sold by Moët Hennessy.

21. All three Armand de Brignac *cuvées* are marketed, labeled, and sold as “champagne.”

C. Fine Champagne Magazine’s Taste Test.

22. According to its website www.fine-magazines.com/en/magazines/fine-champagne-magazine, Fine Champagne Magazine is “[t]he world’s first and only magazine dedicated to champagne and luxury lifestyle.” Additionally, according to its website, Fine Champagne Magazine distributes over 4 million magazines in six languages to 85 countries.

23. Since at least 2010, Fine Champagne Magazine has conducted blind taste testing of the world’s finest champagnes. The magazine then ranks the champagnes from 1-100 based on the reviewers’ opinions.

24. In 2010, 2011, and 2012, Fine Champagne Magazine ranked the three Armand de Brignac *cuvées* as follows:

	Brut Gold	Rosé	Blanc de Blancs
2010	1	17	67
2011	23	21	20
2012	22	11	Not Listed in Top 100 ranked champagnes

25. In 2011 and 2012, multiple vintages of Dom Pérignon champagne ranked higher than the highest ranked Armand de Brignac blend.

D. The False and Misleading Advertisements.

26. Only the Armand de Brignac Brut Gold was ever ranked number one by Fine Champagne Magazine; that rating was in 2010; and Armand de Brignac's champagnes, including the Brut Gold, have received ratings of 23 and 22, respectively, in 2011 and 2012. Nevertheless, Armand de Brignac is currently engaging in a global advertising campaign claiming that its "champagne" is rated number one in the world both through the False Comparative Ad and in advertisements and promotional materials featuring the False Statement.

i. The False Comparative Ad.

27. Among other things, Armand de Brignac has utilized the False Comparative Ad in its campaign of deception specifically to attack Dom Pérignon and to improperly crown itself superior to Dom Pérignon. The False Comparative Ad states that Armand de Brignac Brut Gold is ranked No. 1 in the world and is rated higher than Dom Pérignon 2000 Brut and 1998 Rosé which ranked lower than Armand de Brignac Brut Gold. A true and correct copy of the False Comparative Ad is attached hereto as **Exhibit A**. While this statement was true in 2010, it is now literally false. All blends of Armand de Brignac are currently ranked lower than multiple vintages of Dom Pérignon.

28. In the spring of 2012, Dom Pérignon discovered in Europe that Armand de Brignac was using the False Comparative Ad on its website, in its spring/summer French newsletter and on the promotional brochure included in its bottle case for bottles sold in France. On or about April 23, 2012, Dom Pérignon wrote to Armand de Brignac's European affiliate, demanding that it cease and desist from using the False Comparative Ad and from using any other advertisement that claims that Armand de Brignac champagne is number one in the world.

29. In response, on or about May 4, 2012, counsel for Armand de Brignac informed counsel for Moët Hennessy's European affiliate that it had made the requested changes in its advertisements, and, particularly, on its website.

30. Armand de Brignac is continuing to use the False Comparative Ad, both in the United States and abroad.

31. For example, in at least one retail liquor store in Chicago, Illinois, Armand de Brignac is using the False Comparative Ad as part of its in-store point-of-sale display, to mislead and deceive consumers into believing that all *cuvées* of its champagnes are currently rated number one in the world, although this is literally false. True and correct copies of photographs from the Binny's Beverage Depot retail liquor store located at 1132 S. Jefferson St., Chicago, Illinois are attached hereto as **Exhibit B**.

32. Armand de Brignac is also using the False Comparative Ad outside the United States, including in the Netherlands and Romania, in advertising and promotional materials in luxury resorts, and, on information and belief, in other settings abroad such as in first class lounges in airports. Examples of the foreign advertisements using the False Comparative Ad outside the United States are attached hereto as **Exhibit C**. These advertisements are likely to be encountered by American travelers abroad, among other global consumers. Therefore, on information and belief, these international uses of the False Comparative Ad have a substantial effect on United States commerce.

33. Armand de Brignac's coordinated use of the False Comparative Ad is literally false and misleads and deceives consumers as to material facts about Armand de Brignac champagnes; namely, their quality and purported superiority over other brands, including those of Plaintiff.

ii. Advertisements Containing the False Statement Without A Disclaimer.

34. Armand de Brignac is continuing widespread use of the False Statement without any disclaimer or qualification in a variety of advertising and promotional materials in the United States and elsewhere, including the following:

- a. **Promotional Brochure in the Retail Packaging for Armand de Brignac Brut Gold.** The box containing Armand de Brignac Brut Gold champagne sold at retail currently includes a promotional brochure that uses the False Statement on its cover. Of course, this is literally false, since Armand de Brignac Brut Gold champagne is currently rated No. 22. True and correct copies of photographs of the promotional brochure and the invoice associated with the retail purchase of Armand de Brignac Brut Gold champagne containing this brochure are attached hereto as **Exhibit D**.
- b. **Promotional Brochure in the Retail Packaging for Armand de Brignac Rosé.** The box containing Armand de Brignac Rosé champagne sold at retail currently includes the same promotional brochure as that included in the box for Armand de Brignac Brut Gold using the False Statement on its cover. Of course, this is literally false, since Armand de Brignac Rosé was never rated No. 1 and is currently rated No. 11. True and correct copies of photographs of the promotional brochure and the invoice associated with the retail purchase of Armand de Brignac Rosé champagne containing this brochure are attached hereto as **Exhibit E**.
- c. **Facebook Homepage.** On its official Facebook page, www.facebook.com/ArmanddeBrignac, Armand de Brignac claims to be "Rated the No. 1 Champagne in the World." A true and correct copy of a screen capture image of Armand de Brignac's Facebook homepage is attached hereto as **Exhibit F**.
- d. **Twitter Homepage.** On its official Twitter page, twitter.com/ArmandDeBrignac, Armand de Brignac describes itself as "the luxury Champagne bearing recognizable Ace of spades insignias on its bottle, and ranked the No.1 Champagne in the world!" Also, the background of the Twitter page contains an image of Armand de Brignac champagne with a caption that says it is "Rated the No. 1 Champagne in the World." A true and correct copy of a screen capture image of Armand de Brignac's Twitter homepage is attached hereto as **Exhibit G**.
- e. **Whosay.com Homepage.** On its official Whosay.com² page, www.whosay.com/armanddebrignac, Armand de Brignac again advertises in a background image that it is "Rated the No. 1 Champagne in the World." A true and correct copy of a

² Whosay.com is a social networking website for celebrities.

screen capture image of Armand de Brignac's Whosay.com page is attached hereto as **Exhibit H**.

- f. **The Thailand Event Video Caption.** On April 11, 2012, Armand de Brignac posted on its official Facebook page a video of a "spectacular event" that it "recently hosted" in Bangkok, Thailand. In the caption for this video, Armand de Brignac states: "Having established itself as the No. 1 Champagne in the world, world-wide interest in Armand de Brignac is rapidly increasing and, popularity within Asian markets is no exception!" A true and correct copy of a screen capture image of this caption is attached hereto as **Exhibit I**.
- g. **The Thailand Event Video.** In the above-referenced video of the "spectacular event" in Thailand, Armand de Brignac used black and gold media backdrops featuring the company's name, the Ace of Spades insignia, and the false and misleading statement that it is "Rated the No. 1 Champagne in the World." Various people, including Sovereign Brand's president and CEO Brett Berish, appeared in front of the media backdrop with the false and misleading statement, and promoted the champagne. A true and correct DVD copy of this video is attached hereto as **Exhibit J**, at 2:07 – 2:21. Also, the event featured a large and ornate display of Armand de Brignac champagne, including the Rosé and the Blanc de Blancs, which prominently stated "Rated No. 1 Champagne in the World." **Exhibit J**, at 2:35 – 2:36.
- h. **The "Presenting Armand de Brignac Champagne" Video on Facebook.** On its Facebook page, Armand de Brignac posts a ten-minute video describing the brand and its process of producing champagne entitled "Presenting Armand de Brignac Champagne." In the first twenty seconds of that video, Armand de Brignac features a banner, in large font and centered on the screen, stating that it is "Rated the No. 1 Champagne in the World." A true and correct DVD copy of this video is attached hereto as **Exhibit K**, at 0:16-0:22. The same video appears on Armand de Brignac's website, but the banner in that version of the video contains the inadequate disclaimer "Fine Champagne Magazine, 2010."
- i. **Olympic Tweet:** Armand de Brignac has engaged in significant marketing relating to the 2012 Summer Olympics in London. On or about August 9, 2012, the company posted a message ("tweeted") on its official Twitter page:

"@ArmandDeBrignac, rated the No.1 #Champagne in the world, congratulates Olympians creating No.1 moments. Santé!" A true and correct copy of a screen capture image of this tweet is attached hereto as **Exhibit L**.
- j. **Champagne of Champions Post.** On or about June 25, 2012, shortly after the Miami Heat won the NBA championship, Armand de Brignac posted a message on its Facebook wall, along with a picture of Miami Heat star Dwayne Wade: "Armand de Brignac continues to serve as the 'Champagne of Champions' after teams from the NBA, NHL, NFL, MLB and Grand Prix choose to celebrate their championship victories with the world's number one rated Champagne." A true

and correct copy of a screen capture image of this tweet is attached hereto as **Exhibit M**.

- k. **PR Newswire, June 27, 2011.** In a *PR Newswire* press release describing the purchase of a large bottle of Armand de Brignac, Armand de Brignac describes itself as “the world’s number one rated Champagne.” A true and correct copy of this press release is attached hereto as **Exhibit N**.
- l. **Marketing –E-Mails.** Armand de Brignac’s marketing director, Scott D. Cohen, regularly sends various marketing e-mails to consumers. Many of these marketing e-mails include the statement that Armand de Brignac is “Rated the No. 1 Champagne in the World”, or promote other media covering Armand de Brignac that itself use the False Statement. True and correct copies of these marketing e-mails are attached hereto as **Exhibit O**.
- m. **International Uses.** Armand de Brignac is also using the False Statement outside the United States, including in Russia and Greece, in advertising and promotional materials in luxury resorts, and, on information and belief, in other settings abroad such as in first class lounges in airports. An example of a foreign advertisement using the False Statement in Greece is attached hereto as **Exhibit P**. These advertisements are likely to be encountered by American travelers abroad, among other global consumers. Therefore, on information and belief, these international uses of the False Statement have a substantial effect on United States commerce.

35. Armand de Brignac’s coordinated global advertising campaign purporting to be “Rated the No. 1 Champagne in the World” is literally false and misleads and deceives consumers as to material facts about Armand de Brignac champagnes; namely, their quality and purported superiority over other brands, including those of Plaintiff.

36. Not surprisingly, as a result of Armand de Brignac’s widespread use of the False Statement, media coverage of Armand de Brignac continues to falsely state that Armand de Brignac is “Rated the No. 1 Champagne in the World,” including the following:

- a. ***The Huffington Post*, August 13, 2012.** In an article chronicling Jamaican track star Usain Bolt’s celebrations after his performances at the London Olympics, which included uncorking a 15 liter bottle of Armand de Brignac, the Huffington Post quoted a previous press release from the company:

Armand de Brignac, the world's number one rated Champagne, is a prestige cuvee handcrafted and produced using old-world techniques by a staff of just eight people in a single-family owned vineyard and house established in 1763 in Chigny-les-Roses, France.

A true and correct copy of this article entitled is attached hereto as **Exhibit Q**.

- b. ***The Daily Mail, March 5, 2012.*** In an article describing how a businessman purchased a 30 liter bottle of Armand de Brignac, *The Daily Mail* describes Armand de Brignac as “‘Sumptuous and Racy’: The World’s Number One Bubbly...named the number one champagne in the world after blind tasting by wine experts.” A true and correct copy of this article is attached hereto as **Exhibit R**.

iii. ***The False And Misleading Advertisements With The Inadequate Disclaimer.***

37. In or about late June 2012, in effort to appear compliant with the protests of Moët Hennessy’s European affiliate, Armand de Brignac added a disclaimer on the home page of its website www.armanddebrignac.com and on the promotional video posted on its website. The home page features in dominant text the words “RATED THE NO. 1 CHAMPAGNE IN THE WORLD*”. On the bottom of the page in small, inconspicuous text there is the statement “Fine Champagne Magazine, 2010” (the “**Disclaimer**”). A true and correct copy of this screen capture of Armand de Brignac’s website home page showing the Disclaimer is attached hereto as **Exhibit S**.

38. The Disclaimer does not rectify Armand de Brignac’s use of the False Statement on the home page of its website.

39. For one thing, this inadequate Disclaimer is not even visible to all visitors to the www.armanddebrignac.com website. Because the Disclaimer on Armand de Brignac’s website is utilized as a background image rather than as actual text of the website, website visitors may not even see the Disclaimer, since the display depends on how Armand de Brignac’s website appears on particular computers or other Internet-enabled devices. A true and correct copy of a screen capture of Armand de Brignac’s website home page that does not show the Disclaimer is attached hereto as **Exhibit T**. Without this qualifying language, Armand de Brignac’s homepage for its website is literally false.

40. Even for those website visitors whose browser settings reveal the Disclaimer and who actually notice it (given its inconspicuous placement and font), the Disclaimer is inadequate to rectify the false and misleading nature of the False Statement. Only one of Armand de Brignac's three *cuvées*, the Brut Gold, was rated No. 1 by Fine Champagne Magazine in 2010. The False Statement appears on the homepage of Armand de Brignac's website, not on the page for the Brut Gold. The Disclaimer does not disclose that the 2010 rating was for only the Brut Gold. Moreover, the Disclaimer does not disclose that the 2010 rating is not continuing or that Fine Champagne Magazine currently rates Armand de Brignac's Brut Gold as No. 22 and its Rosé as No. 11, and that the Blanc de Blanc is not included in the top 100 ranked champagnes in 2012.

41. Moreover, Armand de Brignac's use of the False Statement, even with the Disclaimer, is a violation of Section 255.1 of the Federal Trade Commission's "Guides Concerning the Use of Endorsements and Testimonials in Advertising." Section 255.1 states in relevant part that "[a]n advertiser may use an endorsement of an expert or celebrity only so long as it has good reason to believe that the endorser continues to subscribe to the views presented." 16 C.F.R. § 255.1. Here, Armand de Brignac is well aware that Fine Champagne Magazine no longer rates its Gold Brut as the number one champagne in the world, and that it has *never* rated its Rosé or Blanc de Blancs as number one.

42. This FTC guideline is particularly suited to the ratings and endorsements of wine and champagne. The late Julia Child aptly stated that "[w]ine is a living liquid containing no preservatives. Its life cycle comprises youth, maturity, old age, and death." Julia Child, et al., *Mastering the Art of French Cooking* 35 (1964). Even the identical blends of wine and champagne are constantly evolving and "peaking" at different times.

43. The Armand de Brignac Brut Gold tested in 2011 and 2012 may have consisted of a three-vintage blend different from the three-vintage blend used in 2010. And even if the Armand de Brignac Brut Gold tested in 2011 and 2012 consisted of the same component vintages as the Brut Gold tested in 2010, the champagne may have peaked in 2010, suffering a decline in the subsequent years, which is consistent with the fact that Fine Champagne Magazine finds it necessary to test the same champagnes year-after-year.

44. Here, there is no need to surmise the position of Fine Champagne Magazine after 2010. It rated the Armand de Brignac Brut Gold tested in 2011 as number 23 and the Armand de Brignac Brut Gold tested in 2012 as number 22. Armand de Brignac is therefore well aware that it cannot claim that what was true with the Brut Gold tested in 2010 is still true in 2012 and that neither of its other *cuvées* has ever had a No. 1 rating.

COUNT I
FALSE ADVERTISEMENT UNDER THE LANHAM ACT (15 U.S.C.
§ 1125(a)(1)(b))
Use of the False Comparative Ad
Is Literally False and/or False by Necessary Implication

45. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

46. Armand de Brignac uses the False Comparative Ad in interstate commerce and in commercial advertising to describe an inherent quality or characteristic of its own goods.

47. This statement states that the Armand de Brignac Brut Gold champagne is currently rated number one in the world, that the 2000 Dom Pérignon is currently rated No. 2, and that the 1998 Dom Pérignon Rosé is currently rated No. 7. The Armand de Brignac Brut Gold champagne is currently rated No. 22, and is ranked lower than many *cuvées* of Dom Pérignon, including the 2002 Dom Pérignon and the 2000 Dom Pérignon Rosé. These

statements are therefore literally false and/or false by necessary implication, in violation of the Lanham Act without extrinsic evidence of consumer confusion.

48. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is damaged by these false statements of quality and superiority.

49. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from using the False Comparative Ad, Moët Hennessy will suffer irreparable injury.

50. Further, Armand de Brignac should be enjoined from using the False Comparative Ad outside of the United States.

51. On information and belief, Armand de Brignac's conduct outside the United States has a substantial effect on U.S. commerce because its false statements abroad affect U.S. consumers, it utilizes the American stream of commerce to compete with Moët Hennessy, and/or it uses U.S. activities to materially support use of the false advertisement abroad.

52. Defendants are United States citizens and/or constructive citizens of the United States.

53. Upon information and belief, enjoining Armand de Brignac's activity abroad would not conflict with foreign false advertising law.

54. Armand de Brignac's use of the False Comparative Ad was and is knowing and intentional.

COUNT II (In the Alternative to Count I)
FALSE ADVERTISEMENT UNDER THE LANHAM ACT (15 U.S.C. § 1125(a)(1)(b))
Use Of the False Comparative Ad Is Misleading

55. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

56. Moët Hennessy brings this count in the alternative to relief on Count I.

57. Armand de Brignac uses the False Comparative Ad in interstate commerce and in commercial advertising to describe an inherent quality or characteristic of its own goods.

58. This statement states that the Armand de Brignac Brut Gold champagne is currently rated number one in the world, that the 2000 Dom Pérignon is currently rated No. 2, and that the 1998 Dom Pérignon Rosé is currently rated No. 7. The Armand de Brignac Brut Gold champagne is currently rated No. 22, and is ranked lower than many *cuvées* of Dom Pérignon, including the 2002 Dom Pérignon and the 2000 Dom Pérignon Rosé.

59. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is damaged by these misleading statements of quality and superiority.

60. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from using the False Comparative Ad, Moët Hennessy will suffer irreparable injury.

61. Further, Armand de Brignac should be enjoined from using the False Comparative Ad outside of the United States.

62. On information and belief, Armand de Brignac's conduct outside the United States has a substantial effect on U.S. commerce because its misleading statements abroad affect U.S. consumers, it utilizes the American stream of commerce to compete with Moët Hennessy, and/or it uses U.S. activities to materially support use of the misleading advertisement abroad.

63. Defendants are United States citizens and/or constructive citizens of the United States.

64. Upon information and belief, enjoining Armand de Brignac's activity abroad would not conflict with foreign false advertising law.

65. Armand de Brignac's use of the False Comparative Ad was and is knowing and intentional.

COUNT III
FALSE ADVERTISEMENT UNDER THE LANHAM ACT (15 U.S.C. § 1125(a)(1)(b))
Use Of "Rated the No. 1 Champagne in the World" *Without The Disclaimer*
Is Literally False and/or False by Necessary Implication

66. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

67. Armand de Brignac uses the statement "Rated the No. 1 Champagne in the World," and other similar statements, without a disclaimer, in interstate commerce and in commercial advertising to describe an inherent quality or characteristic of its own goods.

68. These statements, without the Disclaimer, convey that all three *cuvées* of its champagne are currently rated number one in the world, and are therefore literally false and/or false by necessary implication, in violation of the Lanham Act without extrinsic evidence of consumer confusion.

69. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is damaged by these false statements of quality and superiority.

70. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the false statements that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements, Moët Hennessy will suffer irreparable injury.

71. Further, Armand de Brignac should be enjoined from making the false statement that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements outside of the United States.

72. On information and belief, Armand de Brignac's conduct outside the United States has a substantial effect on U.S. commerce because its false statements abroad affect U.S. consumers, it utilizes the American stream of commerce to compete with Moët Hennessy, and/or it uses U.S. activities to materially support use of the false advertisement abroad.

73. Defendants are United States citizens and/or constructive citizens of the United States.

74. Upon information and belief, enjoining Armand de Brignac's activity abroad would not conflict with foreign false advertising law.

75. Armand de Brignac's false advertisement was and is knowing and intentional.

COUNT IV (In the Alternative to Count III)
FALSE ADVERTISEMENT UNDER THE LANHAM ACT (15 U.S.C. § 1125(a)(1)(b))
Use Of "Rated the No. 1 Champagne in the World"
Without The Disclaimer Is Misleading

76. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

77. Moët Hennessy brings this count in the alternative to relief on Count III.

78. Armand de Brignac uses the statement "Rated the No. 1 Champagne in the World" and other similar statements, without a disclaimer, in interstate commerce and in commercial advertising to describe an inherent quality or characteristic of its own goods.

79. These statements, without the Disclaimer, convey that all three *cuvées* of its champagne are currently rated number one in the world and are therefore misleading and likely to deceive or confuse consumers in violation of the Lanham Act.

80. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is damaged by these misleading statements of quality and superiority.

81. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the misleading statements that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements, Moët Hennessy will suffer irreparable injury.

82. Further, Armand de Brignac should be enjoined from making the misleading statements that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements outside of the United States.

83. On information and belief, Armand de Brignac's conduct outside the United States has a substantial effect on U.S. commerce because its misleading statements abroad affect U.S. consumers, it utilizes the American stream of commerce to compete with Moët Hennessy, and/or it uses U.S. activities to materially support use of the misleading advertisement abroad.

84. Defendants are United States citizens and/or constructive citizens of the United States.

85. Upon information and belief, enjoining Armand de Brignac's activity abroad would not conflict with foreign false advertising law.

86. Armand de Brignac's misleading advertisement was and is knowing and intentional.

COUNT V
FALSE ADVERTISEMENT UNDER THE LANHAM ACT (15 U.S.C. § 1125(a)(1)(b))
Use Of "Rated the No. 1 Champagne in the World"
With The Disclaimer Is Literally False And/Or False By Necessary Implication

87. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

88. Armand de Brignac uses the statement “Rated the No. 1 Champagne in the World,” with the Disclaimer, in interstate commerce and in commercial advertising to describe an inherent quality or characteristic of its own goods.

89. This statement, with the Disclaimer, conveys that all three *cuvées* of its champagne are currently rated number one in the world and is therefore literally false and/or false by necessary implication, in violation of the Lanham Act without extrinsic evidence of consumer confusion.

90. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is damaged by these false statements of quality and superiority.

91. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the false statement that its champagne is “Rated the No. 1 Champagne in the World,” Moët Hennessy will suffer irreparable injury.

92. Further, Armand de Brignac should be enjoined from making the false statement that its champagne is “Rated the No. 1 Champagne in the World” outside of the United States.

93. On information and belief, Armand de Brignac’s conduct outside the United States has a substantial effect on U.S. commerce because its false statements abroad affect U.S. consumers, it utilizes the American stream of commerce to compete with Moët Hennessy, and/or it uses U.S. activities to materially support use of the false advertisement abroad.

94. Defendants are United States citizens and/or constructive citizens of the United States.

95. Upon information and belief, enjoining Armand de Brignac’s activity abroad would not conflict with foreign false advertising law.

96. Armand de Brignac's false advertisement that its champagne is "Rated the No. 1 Champagne in the World," was and is knowing and intentional.

COUNT VI (In the Alternative to Count V)
FALSE ADVERTISEMENT UNDER THE LANHAM ACT (15 U.S.C. § 1125(a)(1)(b))
Use Of "Rated the No. 1 Champagne in the World"
With The Disclaimer Is Misleading

97. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

98. Moët Hennessy brings this count in the alternative to relief on Count V.

99. Armand de Brignac uses the statement "Rated the No. 1 Champagne in the World," with the Disclaimer, in interstate commerce and in commercial advertising to describe an inherent quality or characteristic of its own goods.

100. This statement, with the Disclaimer, conveys that all three Armand de Brignac's *cuvées* of champagne are currently rated number one in the world and is therefore misleading and likely to deceive or confuse consumers in violation of the Lanham Act.

101. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is damaged by these misleading statements of quality and superiority.

102. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the misleading statements that its champagne is "Rated the No. 1 Champagne in the World," Moët Hennessy will suffer irreparable injury.

103. Further, Armand de Brignac should be enjoined from making the misleading statements that its champagne is "Rated the No. 1 Champagne in the World" outside of the United States.

104. On information and belief, Armand de Brignac's conduct outside the United States has a substantial effect on U.S. commerce because its misleading statements abroad affect U.S. consumers, it utilizes the American stream of commerce to compete with Moët Hennessy, and/or it uses U.S. activities to materially support use of the misleading advertisement abroad.

105. Defendants are United States citizens and/or constructive citizens of the United States.

106. Upon information and belief, enjoining Armand de Brignac's activity abroad would not conflict with foreign false advertising law.

107. Armand de Brignac's misleading advertisement that its champagne is "Rated the No. 1 Champagne in the World," was and is knowing and intentional.

COUNT VII
UNFAIR AND DECEPTIVE BUSINESS PRACTICES (N.Y. GEN. BUS. L. § 349)
Use of the False Comparative Ad Is an Unfair and Deceptive Business Practice

108. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

109. Armand de Brignac's use of the False Comparative Ad conveys that Armand de Brignac's Brut Gold champagne is currently rated number one in the world and that it is rated higher than all *cuvées* of Dom Pérignon champagne and is therefore false and misleading.

110. Armand de Brignac's false and misleading statements are directed at consumers.

111. Armand de Brignac's false and misleading statements are material.

112. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by these false and misleading statements of quality and superiority.

113. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from using the False Comparative Ad, Moët Hennessy will suffer irreparable injury.

114. Armand de Brignac's false and misleading advertisement that its champagne is "Rated the No. 1 Champagne in the World," was and is knowing and intentional.

COUNT VIII
UNFAIR AND DECEPTIVE BUSINESS PRACTICES (N.Y. GEN. BUS. L. § 349)
Use Of "Rated the No. 1 Champagne in the World"
Without The Disclaimer Is An Unfair and Deceptive Business Practice

115. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

116. Armand de Brignac's false and misleading statements that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements, without the Disclaimer, conveys that all three Armand de Brignac *cuvées* of its champagne are currently rated number one in the world and are therefore false and misleading.

117. Armand de Brignac's false and misleading statements are directed at consumers.

118. Armand de Brignac's false and misleading statements are material.

119. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by these false and misleading statements of quality and superiority.

120. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the false and misleading statements that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements, Moët Hennessy will suffer irreparable injury.

121. Armand de Brignac's false and misleading advertisement was and is knowing and intentional.

COUNT IX
UNFAIR AND DECEPTIVE BUSINESS PRACTICES (N.Y. GEN. BUS. L. § 349)
Use Of “Rated the No. 1 Champagne in the World”
With The Disclaimer Is An Unfair And Deceptive Business Practice

122. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

123. Armand de Brignac’s false and misleading statements that its champagne is “Rated the No. 1 Champagne in the World,” with the Disclaimer, conveys that all three Armand de Brignac *cuvées* of its champagne are currently rated number one in the world and are therefore false and misleading.

124. Armand de Brignac’s false and misleading statements are directed at consumers.

125. Armand de Brignac’s false and misleading statements are material.

126. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by these false and misleading statements of quality and superiority.

127. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the false and misleading statements that its champagne is “Rated the No. 1 Champagne in the World,” Moët Hennessy will suffer irreparable injury.

128. Armand de Brignac’s false and misleading advertisement that its champagne is “Rated the No. 1 Champagne in the World,” was and is knowing and intentional.

COUNT X
FALSE ADVERTISING (N.Y. GEN. BUS. L. § 350)
Use Of False Comparative Ad Constitutes False Advertising

129. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

130. Armand de Brignac's use of the False Comparative Ad conveys that Armand de Brignac's Brut Gold champagne is currently rated number one in the world and that it is rated higher than all *cuvées* of Dom Pérignon champagne and is therefore false and misleading.

131. Armand de Brignac's false and misleading statements are directed at consumers.

132. Armand de Brignac's false and misleading statements are material.

133. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by these false and misleading statements of quality and superiority.

134. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from using the False Comparative Ad, Moët Hennessy will suffer irreparable injury.

135. Armand de Brignac's use of the False Comparative Ad was and is knowing and intentional.

COUNT XI
FALSE ADVERTISING (N.Y. GEN. BUS. L. § 350)
Use Of "Rated the No. 1 Champagne in the World"
Without The Disclaimer Constitutes False Advertising

136. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

137. Armand de Brignac's false and misleading statements that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements, without the Disclaimer, conveys that all three Armand de Brignac *cuvées* of its champagne are currently rated number one in the world and are therefore false and misleading.

138. Armand de Brignac's false and misleading statements are directed at consumers.

139. Armand de Brignac's false and misleading statements are material.

140. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by these false and misleading statements of quality and superiority.

141. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the false and misleading statements that its champagne is “Rated the No. 1 Champagne in the World” and other similar statements, Moët Hennessy will suffer irreparable injury.

142. Armand de Brignac’s false and misleading advertisement was and is knowing and intentional.

COUNT XII
FALSE ADVERTISING (N.Y. GEN. BUS. L. § 350)
Use Of “Rated the No. 1 Champagne in the World”
With The Disclaimer Constitutes False Advertising

143. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

144. Armand de Brignac’s false and misleading statements that its champagne is “Rated the No. 1 Champagne in the World,” with the Disclaimer, conveys that all three Armand de Brignac *cuvées* of its champagne are currently rated number one in the world and are therefore false and misleading.

145. Armand de Brignac’s false and misleading statements are directed at consumers.

146. Armand de Brignac’s false and misleading statements are material.

147. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by these false and misleading statements.

148. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the false and misleading statements that its champagne is “Rated the No. 1 Champagne in the World,” Moët Hennessy will suffer irreparable injury.

149. Armand de Brignac's false and misleading advertisement that its champagne is "Rated the No. 1 Champagne in the World," was and is knowing and intentional.

COUNT XIII
UNFAIR COMPETITION (COMMON LAW)
Use Of the False Comparative Ad Constitutes Unfair Competition

150. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

151. Armand de Brignac's use of the False Comparative Ad is likely to deceive and confuse consumers into believing that Armand de Brignac's Brut Gold champagne is currently rated number one in the world and that it is rated higher than all *cuvées* of Dom Pérignon champagne and therefore constitutes unfair competition under New York common law.

152. Armand de Brignac has engaged in the foregoing act of unfair competition with bad faith.

153. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by this unfair competition.

154. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from using the False Comparative Ad, Moët Hennessy will suffer irreparable injury.

COUNT XIV
UNFAIR COMPETITION (COMMON LAW)
Use Of "Rated the No. 1 Champagne in the World"
Without The Disclaimer Constitutes Unfair Competition

155. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

156. Armand de Brignac's false and misleading statements that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements, without the Disclaimer,

are likely to deceive and confuse consumers into believing that all three Armand de Brignac *cuvées* of its champagne are currently rated number one in the world and therefore constitute unfair competition under New York common law.

157. Armand de Brignac has engaged in the foregoing act of unfair competition with bad faith.

158. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by this unfair competition.

159. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the misleading statements that its champagne is "Rated the No. 1 Champagne in the World" and other similar statements, Moët Hennessy will suffer irreparable injury.

COUNT XV
UNFAIR COMPETITION (COMMON LAW)
Use Of "Rated the No. 1 Champagne in the World"
With The Disclaimer Constitutes Unfair Competition

160. Moët Hennessy hereby repeats and realleges, as if fully set forth herein, the allegations set forth in paragraphs 1 through 44, above.

161. Armand de Brignac's false and misleading statements that its champagne is "Rated the No. 1 Champagne in the World," with the Disclaimer, are likely to deceive and confuse consumers into believing that all three Armand de Brignac *cuvées* of champagne are currently rated number one in the world and therefore constitute unfair competition under New York common law.

162. Armand de Brignac has engaged in the foregoing act of unfair competition with bad faith.

163. As a leading importer of champagnes that compete with Armand de Brignac, Moët Hennessy is injured by this unfair competition.

164. Moët Hennessy has no adequate remedy at law. Unless Armand de Brignac is permanently enjoined from making the misleading statements that its champagne is “Rated the No. 1 Champagne in the World,” Moët Hennessy will suffer irreparable injury.

WHEREFORE, Moët Hennessy prays that this Court enter judgment for Moët Hennessy and against Armand de Brignac:

- A. Finding that Armand de Brignac’s use of the False Comparative Ad:
 - (1) constitutes false advertising in violation of Section 43(a) of the Lanham Act;
 - (2) constitutes an unfair and deceptive business practice under New York General Business Law § 349;
 - (3) constitutes false advertising under New York General Business Law § 350;
 - (4) constitutes unfair competition under New York common law; and
 - (5) was knowing, intentional and/or in bad faith.
- B. Finding that Armand de Brignac’s use of the statement “Rated the No. 1 Champagne in the World” and other similar statements without the Disclaimer:
 - (1) constitutes false advertising in violation of Section 43(a) of the Lanham Act;
 - (2) constitutes an unfair and deceptive business practice under New York General Business Law § 349;
 - (3) constitutes false advertising under New York General Business Law § 350;
 - (4) constitutes unfair competition under New York common law; and
 - (5) was knowing, intentional and/or in bad faith.
- C. Finding that Armand de Brignac’s use of the statement “Rated the No. 1 Champagne in the World” with the Disclaimer:
 - (1) constitutes false advertising in violation of Section 43(a) of the Lanham Act;
 - (2) constitutes an unfair and deceptive business practice under New York General Business Law § 349;

- (3) constitutes false advertising under New York General Business Law § 350;
 - (4) constitutes unfair competition under New York common law; and
 - (5) was knowing, intentional and/or in bad faith.
- D. Preliminarily and permanently enjoining Armand de Brignac, both in the United States and abroad, and all of its officers, agents, employees, related entities, and their attorneys, and all persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, from:
- (1) using the False Comparative Ad;
 - (2) using the statement "Rated the No. 1 Champagne in the World" and other similar statements in any way that convey that any or all of Armand de Brignac's *cuvées* are currently rated number one;
 - (3) engaging in any other activity constituting a false advertisement, an unfair and deceptive business practice, or unfair competition; and
 - (4) instructing, assisting, aiding or abetting any other person or business entity in engaging in any of the activities referred to in subparagraphs (1)-(3) above;
- E. Ordering Armand de Brignac to:
- (1) recall all bottles of any and all *cuvées* of Armand de Brignac champagne sold at retail that contain the promotional brochure or other materials using the statement "Rated the No. 1 Champagne in the World";
 - (2) deliver up to counsel for Moët Hennessy for destruction all advertisements, in any format or media, using the statement "Rated the No. 1 Champagne in the World" and other similar statements;
 - (3) provide an accounting of the profits it gained from such misuse of the false and misleading advertisements that its champagne is "Rated the No. 1 Champagne in the World" and other similar advertisements;
- F. Awarding Moët Hennessy:
- (1) Armand de Brignac's profits arising out of its false and misleading advertisement, treble damages, Moët Hennessy's reasonable attorneys' fees and its costs incurred in this action, all pursuant to 15 U.S.C. §1117(a);
 - (2) its damages arising out of Armand de Brignac's unfair competition and unfair and deceptive trade practices and punitive damages arising out of Armand de Brignac's intentional and bad faith acts of unfair competition; and

G. Awarding Moët Hennessy such other and further relief as the Court deems just and proper.

JURY DEMAND

Plaintiff Moët Hennessy USA, Inc. hereby demands a trial by jury on all issues and claims so triable.

Dated: August 24, 2012

Respectfully submitted,

By: 

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vice admission to be filed)
Wendi E. Sloane (application for *pro hac vice*
admission to be filed)
Thomas M. Gniot (NY State Bar No.4315404;
SDNY Bar No. TG0907)
Vito S. Solitro (application for *pro hac vice*
admission to be filed)
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*Attorneys for Plaintiff Moët Hennessy USA,
Inc.*

EXHIBIT A

RATED THE No. 1 CHAMPAGNE IN THE WORLD

1,000

Champagnes were blind-tasted.
Armand de Brignac was ranked number one.

The world's finest Champagne was voted and ranked by 1,000 experts from 100 countries. The results were published in the *Chapman Magazine*, the only international publication devoted to Champagne and its producers. The industry.

Each Champagne was tasted and ranked by 100 experts. The process was so strict that it was impossible to see the Champagne was blind-tasted and re-assessed. When the results were weighed, Armand de Brignac ranked No. 1 among the world's best Champagnes.



1. 96p Armand de Brignac Brut Gold

2. 92p 2000 Dom Pérignon
3. 90p 1998 Mumm R. Lalou
4. 89p 2000 Roederer Cristal
5. 88p 2000 Eglys de Fumer
6. 85p 1998 Pol Roger Sir Winston Churchill
7. 84p 1998 Dom Pérignon Rose
8. 83p 1990 Jacquart Blanc de Blancs
9. 82p 2000 Roederer Cordon Rouge
10. 81p NV Champagne Taittinger

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EXHIBIT B

RATED THE NO. 1 CHAMPAGNE IN THE WORLD

1,000

Champagnes were blind-tested.
Armand de Brignac was ranked number one.



1. 90p Armand de Brignac Brut Gold

2. 90p Dom Pérignon

3. 90p Armand de Brignac Brut

4. 90p Dom Pérignon Brut

5. 90p Armand de Brignac Brut

6. 90p Dom Pérignon Brut

7. 90p Armand de Brignac Brut

8. 90p Dom Pérignon Brut

9. 90p Armand de Brignac Brut

10. 90p Dom Pérignon Brut



ARMAND DE BRIGNAC
CHAMPAGNE

1,000

Champagnes were blind-tasted.

Armand de Brignac was ranked number one.

For the 10th annual wine critics and consumers poll, a tasting of more than 1,000 champagnes was held in London. The results were published in the *Wine Spectator*, one of the national publications that have an authority in the industry.

Armand de Brignac's 1996 brut style champagne was ranked number one. The champagne was produced in 1996, the year of the 100th anniversary of the founding of the house. The champagne was produced in 1996, the year of the 100th anniversary of the founding of the house.



1. 96p Armand de Brignac Brut C

2. 95p 2000 Dom Pérignon

3. 94p 1998 Mummichat Brut

4. 94p 2001 Roederer Brut

5. 94p 2000 Begeron Brut

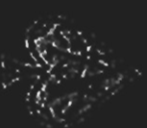
6. 93p 1998 Dom Pérignon

7. 93p 1998 Dom Pérignon

8. 93p 1998 Dom Pérignon

9. 93p 1998 Dom Pérignon

10. 93p 1998 Dom Pérignon



ARMAND DE BRIGNAC

CHAMPAGNE

EXHIBIT C

12-17 ANI 2000-1911

R I



40 de ani

Cel mai mare
transatlantic

White

W

Ambasadoare a Eleganței Longines

DECLARATĂ ȘAMPANIA NR. 1 DIN LUME

1.000

din cele mai distinse Șampanii din lume au participat la concursul de degustare.
Șampania Armand de Brignac a câștigat această competiție.

Amândouă, cei mai cunoscuți experți și de renume din lumea șampaniei, au degustat și au acordat punctajul maxim de 100 puncte, în urma unei degustări. Într-un eveniment a fost prezentat și revista Time Magazine, care a publicat în ediția internațională cea mai bună șampanie din lume, în prima poziție, Armand de Brignac.

Existența șampaniei a fost punctată între 1 și 100. Procesul a fost atât de simplu, cât și de precis, în urma unei degustări. În urma unei degustări, cei mai cunoscuți experți și de renume din lumea șampaniei, au acordat punctajul maxim de 100 puncte, în urma unei degustări.

După degustarea revizuită, Armand de Brignac a câștigat primul loc, declarând în mod oficial Șampania numărul 1 din lume.

1. 96p Armand de Brignac Brut Gold

2. 95p 2000 Dom Pérignon

3. 94p 1998 Mumm R. Lalou

4. 94p 2002 Roederer Cristal

5. 94p 2000 Egerie de Pannier

6. 94p 1998 Pol Roger Sir Winston Churchill

7. 93p 1998 Dom Pérignon Rosé

8. 93p 1999 Jacquart Blanc de Blancs

9. 93p 2002 Roederer Cristal Rosé

10. 92p NV Chartogne-Taillet Fiacre



ARMAND DE BRIGNAC
CHAMPAGNE

©2009 Armand de Brignac Holdings, New York, NY. Please enjoy responsibly.

heet voortaan

Orange ~~Modem~~ **inHRLEM**

word gevonden, gezien & gekend

webdesign grafische vormgeving reclame ontwerp

Home Portfolio Over Ons Blog Contact

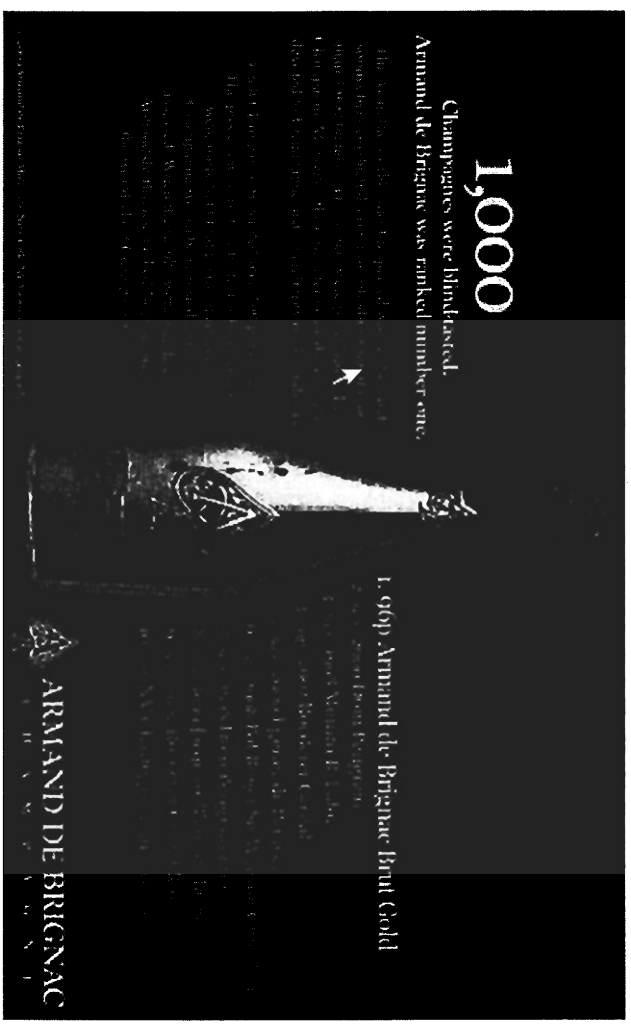
Een website vol bubbels...

Als webdesign bureau zijn wij gevraagd een nieuwe website te maken voor 's werelds Beste Champagne merk van het bekoonde Franse champagnehuis Cattier.

Website ontwerp

Bij het ontwerpen van de website kregen we veel grafisch materiaal tot onze beschikking: de huisstijl is al chic dus dat was de basis van het website ontwerp. De focus: gebruiksvriendelijk, plattere websitestructuur en korte klikpaden. Daarnaast zijn enkele teksten op de website geschreven volgens de website keyword analyse en zo dus Search Engine Friendly opgebouwd.

Techniek: MySQL, PHP, JS, CSS
Systeem: CMS-T-
www. armand-de-brignac.nl
Gezondheidszorg: Fourcroy Nederland



1 2 3 4 5 6

ORANGERIE

FrissenHijf

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laatste internet projecten

- www.teamjz.nl (online)
- www.unibxt.eu (update)
- www.heiliglandenkamp.nl (update)
- www.lechic-exclusief.nl (online)
- www.mercator-management.nl (update)
- www.oksolutions.nl (online)

EXHIBIT D

MADE IN FRANCE

BRIMAC





ARMAND DE BRIGNAC

Rated THE No. 1 CHAMPAGNE IN THE WORLD

Binny's Beverage Depot
1132 S. Jefferson St.
Chicago, IL 60607
(312) 768-4400



INVOICE

022-086936	08/22/2012	3800	022-086936
	NET 10 DAYS	328.77	

BARACK FERRAZZANO KIRSCHBAUM
& PERLMAN SUITE #3900
200 W. MADISON
CHICAGO, IL 60606

BARACK FERRAZZANO KIRSCHBAUM
GLEN MORE
& PERLMAN SUITE #3900
200 W. MADISON
CHICAGO, IL 60606

1	250081	750ML ARMAND DE BRIGNAC BRUT County Tax Invoice #22-86936 ----- SUBTOTAL SALES TAX TOTAL	300.00 300.27 28.50 328.77	300.00 0.27 300.27 28.50 328.77
0	1	ACCOUNT CHARGE		328.77
Remit To: Binny's Beverage Depot 8935 N. Milwaukee Ave. Niles, IL 60714 (847) 581-3100			PAYMENT METHOD: NET 10 DAYS	
			Sold BY: Jim Backous	

EXHIBIT E





ARMAND DE BRIGNAC

WATSON TEGE No. 1 CHAMPAGNE IN THE WORLD



Binny's Beverage Depot
1132 S. Jefferson St.
Chicago, IL 60607
(312) 768-4400



INVOICE

ORDER NO.	DATE	ACCOUNT	INVOICE NO.
022-086970	08/23/2012	3800	022-086970
REQUEST DATE	SHIP VIA	REFERENCE	
08/23/2012	will call		
TERMS		AMOUNT DUE	
NET 10 DAYS		575.00	

SOLD TO


BARACK FERRAZZANO KIRSCHBAUM
BILL LEONE
& PERLMAN SUITE #3900
200 W. MADISON
CHICAGO, IL 60606


SHIP TO

BARACK FERRAZZANO KIRSCHBAUM
BILL LEONE
& PERLMAN SUITE #3900
200 W. MADISON
CHICAGO, IL 60606

Cases	Units	GSE#	Description	Price	Amount
	1	250084	750ML ARMAND DE BRIGNAC ROSE County Tax Invoice #22-86970 ----- SUBTOTAL SALES TAX TOTAL	525.00 525.12 49.88 575.00	525.00 0.12 525.12 49.88 575.00
0	1		ACCOUNT CHARGE		575.00
Remit To: Binny's Beverage Depot 8935 N. Milwaukee Ave. Niles, IL 60714 (847) 581-3100				PAYMENT METHOD: NET 10 DAYS	
				sold BY: Jovon Murray-	

EXHIBIT F

Message 



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CENTRO DE LA UNIÓN - LEE

With a comment...

EXHIBIT G



ARMAND DE BRIGNAC
MAISON FONDÉE EN 1876
IN THE WORLD



Armand de Brignac

ArmandDeBrignac

Armand de Brignac is the luxury Champagne bearing recognizable Ace of Spades insignia on its bottle, and ranked the No. 1 Champagne in the world.
(Ace of Spades) Champagne <http://www.armanddebrignac.com>

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Tweets

12h
Armand de Brignac [@ArmandDeBrignac](#)
Photo Beyoncé posted on her website of @ArmandDeBrignac sitting next to @JimmyChoo Ltd. iam.beyonce.com/post/298324062...
#AceOfSpades
Expand

20 Aug
the drinks business [@the_drinks_biz](#)
It's all happening in the world of #champagne...! Fliz sector set for sparkling growth. ow.ly/d5Xm
See full tweet > Armand de Brignac
Expand

13 Aug
Armand de Brignac [@ArmandDeBrignac](#)
Team USA London 2012 Olympic closing party with @HERCULSHIZZ & @USPAceSpades #Champagne #USGood pic.twitter.com/Elap9WMI
See full tweet > Armand de Brignac
Expand

13 Aug
Armand de Brignac [@ArmandDeBrignac](#)
Has performed at the #TeamUSA London 2012 Olympic closing party #LiesGood pic.twitter.com/Elap9WMI
See full tweet > Armand de Brignac
Expand

13 Aug
Lucy Shaw [@LucyShaw](#)
Usain Bolt treated to £80k Nebuchadnezzar of Armand de Brignac Champagne at Mowda after breaking relay world record. thedrinksbusiness.com/2012/08/13/usain-bolt...
See full tweet > Armand de Brignac
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13 Aug
Armand de Brignac [@ArmandDeBrignac](#)
Usain Bolt celebrates Olympic Games gold rush with a 15L Gold Nebuchadnezzar bottle of @ArmandDeBrignac #Champagne. dailymail.co.uk/showbiz/art...
Expand

13 Aug
Armand de Brignac [@ArmandDeBrignac](#)
Congratulations to GB's Mo Farah - only the 7th man in history to

EXHIBIT H

ARMAND DE BRIGNAC
C H A M P A G N E

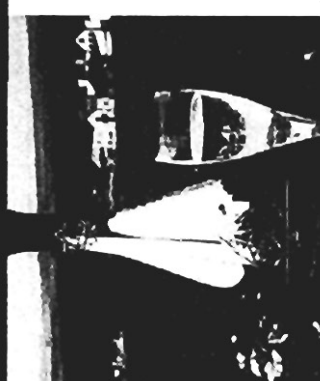
RATED THE
No. 1 CHAMPAGNE
IN THE WORLD



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09 August 2012

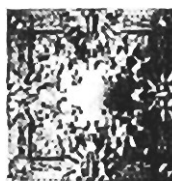
©AmundD&B/gmx. called the His 1 & 2 campaign in the world. congratulates Olympians, circulating No.

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Armand de Brignac : **Trending Posts**



09 May 2011



08 July 2011



03 May 2011

EXHIBIT I

Armand de Brignac
Like This Page - April 11, 1964

Armand de Brignac Hosts Spectacular Event in Thailand

Having established itself as the No. 1 Champagne the world, world-wide interest in Armand de Brignac is rapidly increasing and, popularity within Asian markets is no exception!

Please enjoy this video of a spectacular event we recently hosted in Thailand. — at Bangkok, Thailand.

Jin, Li, Comment, Sheng

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EXHIBIT J

(DVD ATTACHED)

Moët Hennessy USA, Inc.
v.
Ace of Spades Holdings, LLC, et al.

EXHIBIT J

EXHIBIT K

(DVD ATTACHED)

Moët Hennessy USA, Inc.
v.
Ace of Spades Holdings, LLC, et al.

EXHIBIT K

EXHIBIT L

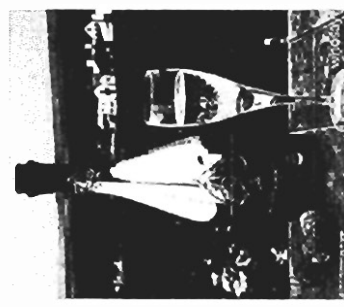
ARMAND DE BRIGNAC
RATED THE
MOST CHAMPAGNE
IN THE WORLD



Armand de Brignac
@ArmandDeBrignac

@ArmandDeBrignac, rated the No.1
#Champagne in the world, congratulates
Olympians creating No.1 moments. Santé!
say.ly/xUm3WCB

Reply Retweet Favorite



Armand de Brignac's photo "ArmandDeBrignac, rated the No.1"

@ArmandDeBrignac

@ArmandDeBrignac, rated the No.1 #Champagne in the world, congratulates Olympians creating No.1 moments. Santé!

WhoSay Inc. 10/23/12

7



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EXHIBIT M

Armand de Brignac
June 25

Championship of Champions (3 photos)
Armand de Brignac continues to serve as the "Champion of Champions" after winning the 2012 NBA Championship with the Miami Heat. He will continue his championship activities with the world's number one rated Champagne.



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105 2 1

Armand de Brignac
June 22

NBA Finals MVP LeBron James and the Miami Heat celebrated their 2012 NBA Championship with the world's number one rated Champagne, Armand de Brignac ("Ace of Spades"), on Thursday night at LIV Fontainebleau, Miami, FL. This is the team's

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Armand de Brignac created a link

Armand de Brignac
June 22

Armand de Brignac "Champion of Champions"



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99 1 2

Armand de Brignac
June 22

LeBron James celebrates NBA Championship win with Armand de Brignac Champagne at LIV at Fontainebleau



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EXHIBIT N



The Most Expensive Bottle of Champagne is Bought in London for \$190,000 (120,000 GBP) by U.S. Professional Gambler and Businessman

LONDON, June 27, 2011 /PRNewswire/ -- Last night (Sunday June 26th), a stunning 30L "Midas" bottle of Armand de Brignac ("Ace of Spades") Gold Champagne was purchased at London's exclusive members club OneForOne Park Lane by Don Johnson, a professional gambler and US businessman dubbed "The Champagne King".

(Photo: <http://photos.prnewswire.com/prnh/20110627/NY26479>)

(Photo: <http://photos.prnewswire.com/prnh/20110113/NY30023>)



The bottle purchased was an Armand de Brignac Midas, the world's largest luxury bottle of Champagne, weighing 100 pounds (45kg), is equivalent to 40 regular-sized bottles and is handcrafted by just eight expert artisans. The rare, large-format bottle's name comes from King Midas, remembered in Greek mythology for the ability to turn whatever he touched into gold, and the bottle sold in London is only one of six in existence!

It took three strong men at OneForOne to carry the bottle into the venue and pour it every time someone wanted a drink.

The buyer of this exclusive Armand de Brignac Midas Champagne bottle, Don Johnson was in London this weekend to visit his personal friend Jon Bon Jovi and attend the Bon Jovi concert in Hyde Park. When he isn't putting casinos in the red, Johnson enjoys partying in exclusive clubs around the world and has been such a fascination of late creating a huge buzz worldwide with elite crowds and celebrities alike. Later this summer, he is set to host Pamela Anderson's birthday party in Las Vegas.

This is not the first time OneForOne has made headlines. Early this year when the club opened, it sold what was previously the most expensive bottle of Champagne sold in London – a 15L Armand de Brignac Nebuchadnezzar Champagne bottle, which was purchased by an anonymous European businessman for 80,000 GBP (\$127,600). Whilst in the US, Johnson heard about the record sale through his lifestyle manager and director of Raibin Productions, Sophie Raibin and decided to pay OneForOne a visit and break the previous record. Along with the 120,000 GBP (\$190,000) Armand de Brignac Midas Champagne bottle, Johnson also bought an Armand de Brignac Methuselah for 25,000 GBP (\$39,800). The total bill at the end of the night was a whopping 168,118 GBP (\$268,100).

Armand de Brignac Champagne is also no stranger to headlines and recently made news across the world when NBA Dallas Mavericks and NHL Boston Bruins both chose to celebrate their Championship victories with the luxury Champagne brand.

Armand de Brignac, the world's number one rated Champagne, is a prestige cuvee handcrafted and

-- produced using old-world techniques by a staff of just eight people in a single-family owned vineyard and house established in 1763 in Chigny-les-Roses, France.

OneForOne is a boutique nightclub created and designed for those who want the best in service. Guests enjoy private rooms, and an individual host for each table.

For more information about Armand de Brignac Champagne, visit our website or follow us on Twitter or Facebook.

Yvonne Lardner
Global Director of Communications and PR
T: +44 (0) 7956 237 822
YvonneLardner@ArmandDeBrignac.com

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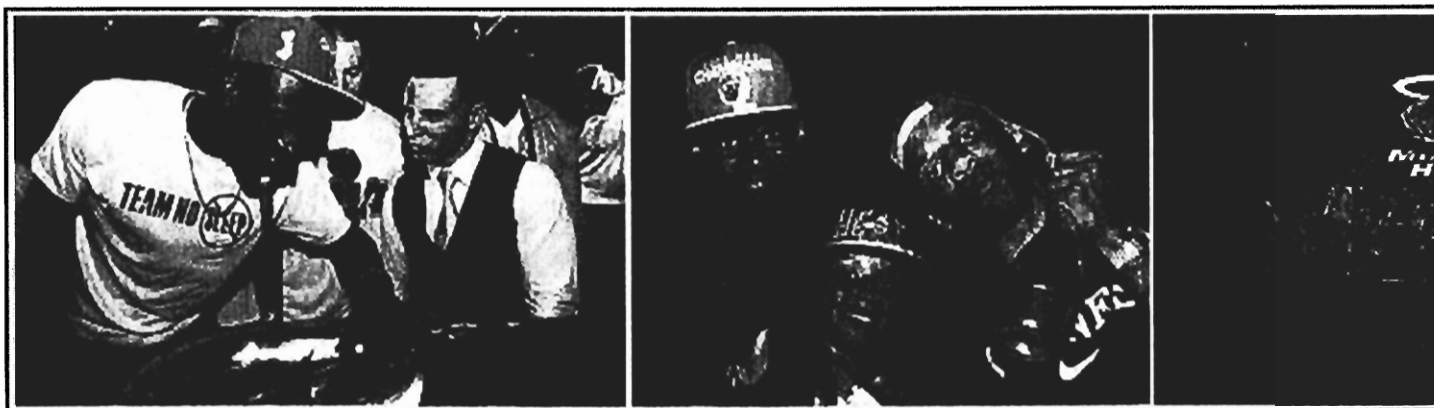
EXHIBIT O

From: "Scott Cohen" <scottcohen@armanddebrignac.com>
To: nicole.pereira@mhusa.com
Date: 06/26/2012 12:09 PM
Subject: LeBron James & NBA Champion Miami Heat Celebrate with Armand de Brignac

Dear Friends,

We're extremely proud to report another chapter in the story of Armand de Brignac's establishment as the Champagne of Champions. This past weekend, following their series-clinching Game 5 victory in basketball's NBA Finals, newly crowned champions the Miami Heat celebrated at Miami's LIV Fontainebleau with Armand de Brignac. Fans and celebratory partygoers welcomed Heat owner Mickey Arison, Finals and regular-season MVP LeBron James, All-Stars Dwyane Wade and Chris Bosh and others to the LIV to celebrate the franchise's second championship - the first with the Heat's "Big Three" lineup. Electro-pop duo LMFAO also surprised the team and their fans with an impromptu performance at the club.

The Heat join the NFL's NY Giants, MLB's NY Yankees, NHL's Boston Bruins, and last year's NBA champion Dallas Mavericks as professional sports champions who have all made the world's top-rated Champagne, Armand de Brignac, their choice for truly spectacular celebrations. Please enjoy images from the Miami festivities below – high resolution is available on request!



Scott D. Cohen
Director of Marketing

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T: 212.343.8366 / F: 212.343.8367
scottcohen@armanddebrignac.com
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From: "Scott Cohen" <scottcohen@armanddebrignac.com>
To: nicole.pereira@mhusa.com
Date: 05/15/2012 05:15 PM
Subject: Armand de Brignac Champagne in Thailand

Among Asia's developing wine markets, Thailand has been one of the most exciting places for us at Armand de Brignac. Beautiful resorts, amazing restaurants and cuisine and a fast-paced nightlife make the country a natural fit for our Champagne. The Thai press seem to agree – dozens of articles about Armand de Brignac have appeared over the past year detailing our meticulous, hand-intensive production methods and rating as the world's best Champagne.

The latest feature for Armand de Brignac in Thailand comes from *Business Plus*, a business publication which features a special section each month focused on luxury gift ideas. Armand de Brignac rated four full pages of coverage, including the gorgeous double-page photo spread of our three cuvees, Blanc de Blancs, Brut Gold, and Rosé, in our cellars at Chigny les Roses.

A high resolution version of the article (in Thai only) is available upon request. Enjoy!

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อาร์มาญ เดอ บรีญัก ราชันย์แห่งไวน์

เมื่อ 170 ปีก่อนคริสตกาล ชาวโรมันได้ค้นพบองุ่นในฝรั่งเศส และนำมันมาปลูกในดินแดนที่เรียกว่า Gallia ซึ่งก็คือฝรั่งเศสในปัจจุบัน และนั่นก็เป็นที่มาของไวน์ฝรั่งเศสที่มีชื่อเสียงโด่งดังไปทั่วโลก

องุ่นเป็นพืชที่ปลูกง่าย แต่การปลูกไวน์ให้ได้ดีนั้นเป็นเรื่องยาก เพราะต้องอาศัยความรู้และประสบการณ์ในการเลือกดิน น้ำ และแสงแดดที่เหมาะสม

องุ่นที่ปลูกในดินแดนที่เรียกว่า Gallia นั้นมีรสชาติที่เข้มข้นและอร่อยกว่าองุ่นที่ปลูกในดินแดนอื่นๆ และนั่นก็เป็นที่มาของไวน์ฝรั่งเศสที่มีชื่อเสียงโด่งดังไปทั่วโลก

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“องุ่นที่ปลูกในดินแดนที่เรียกว่า Gallia นั้นมีรสชาติที่เข้มข้นและอร่อยกว่าองุ่นที่ปลูกในดินแดนอื่นๆ และนั่นก็เป็นที่มาของไวน์ฝรั่งเศสที่มีชื่อเสียงโด่งดังไปทั่วโลก”



Armand de Brignac champagne bottles

พรตพองุ่น และปาร์ตี้อาร์มาญ เดอ บรีญัก

by Scott Cohen

Armand de Brignac

Armand de Brignac

Armand de Brignac

Armand de Brignac

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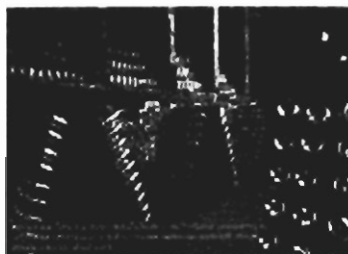
Armand de Brignac



องุ่นที่ปลูกในดินแดนที่เรียกว่า Gallia นั้นมีรสชาติที่เข้มข้นและอร่อยกว่าองุ่นที่ปลูกในดินแดนอื่นๆ และนั่นก็เป็นที่มาของไวน์ฝรั่งเศสที่มีชื่อเสียงโด่งดังไปทั่วโลก



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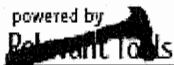
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#

From: "Scott Cohen" <scottcohen@armanddebrignac.com>
To: nicole.pereira@mhusa.com
Date: 03/28/2012 10:43 AM
Subject: Armand de Brignac Champagne in Germany's Platinum Style

Armand de Brignac Champagne has enjoyed tremendous success in Germany, where the brand has been featured in countless publications and spotlighted as the official Champagne of the Deutscher Filmpreis (the German Academy Awards). The most recent feature on our top-rated Champagne in Germany comes from *Platinum Style*, published for platinum card holders of the country's Sparkasse Bayern bank. The article details Armand de Brignac's history, 100% hand-craftsmanship, and its availability through German concierge services, and runs for a full page of the magazine. Incredible!

For more information finding Armand de Brignac in Germany – or anywhere in the more than 100 countries where it's now available – don't hesitate to contact us directly!

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Frauenpower

Reine Macht er macht zu sagen haben

Vier Frauen, die die Welt der Champagner-Flasche öffnen und sich die feinen Perlchen um die Nase wehen lassen. Doch manche Anlässe sind so außerordentlich, dass sie nach einer Strengungsverlangen. Aber gibt es etwas Besseres als ein Glas Champagner? Ja - nämlich ein Glas des vermutlich besten Champagners der Welt. Diesen Titel haben sich Jean-Jacques Cattier und sein Sohn Alexandre,

Keiner perlt feiner

Der Champagner von Jean-Jacques Cattier hat ungefähr so viel Ähnlichkeit mit einem Schampus aus dem Supermarkt wie eine Harley-Davidson mit einem Moped.



Wienberg bei Chigny-les-Roses, wo die besten Jahrgänge verschmelzen wurden

Es gibt Augenblicke im Leben, in denen man gern eine Champagner-Flasche öffnet und sich die feinen Perlchen um die Nase wehen lässt. Doch manche Anlässe sind so außerordentlich, dass sie nach einer Strengungsverlangen. Aber gibt es etwas Besseres als ein Glas Champagner? Ja - nämlich ein Glas des vermutlich besten Champagners der Welt. Diesen Titel haben sich Jean-Jacques

deren Familie seit dem Jahr 1768 im Städtchen Chigny-les-Roses im Herzen der Champagner-Region schrankenlos in der Spitzenklasse produziert, nicht selbst gegeben. Er stammt vielmehr von dem Fachblatt „Fine Champagne Magazine“, das den Armand de Brignac Brut Gold des Hauses Cattier nach einem Blindtest von 1000 Champagnermarken zum Weltmeister ausrückte.

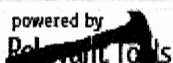
Sein Geheimnis ist vielschichtig. Da sind zum einen die tief in den kalksteinhaltigen Boden reichenden Keller. Da ist das Können, das sich diese uralte Winzerfamilie über Jahrhunderte hinweg erworben hat. Da ist aber vor allem der Prozess, der das Haus Cattier von anderen unterscheidet. Im Herbst fahren Vater und Sohn wochenlang vom Château zu Château, um die jeweils besten Trauben zu kaufen, die sie zu Hause mit der Feinschmeckerin eigenen Lager in der Montagne de Reims zu einer einzigartigen Cuvée vermählen. „Als Multi-Vintage-Champagner verlobt der Armand de Brignac einen traditionellen Champagner im besten Sinne, zuallererst aufgrund des Verschmelzens der besten Jahrgänge einer Cuvée, die ein Single-Vintage-Wein unmöglich erzeugen kann“, schrieb der italienische Weinkritiker Alberto Lupatillo Gourmet Magazine „Spinto di Vitis“. Das Ergebnis nannte er „reinen Mythos“.

08

PLATINUM-ENTWURF: STANLEY L. LIND

Scott D. Cohen
Director of Marketing

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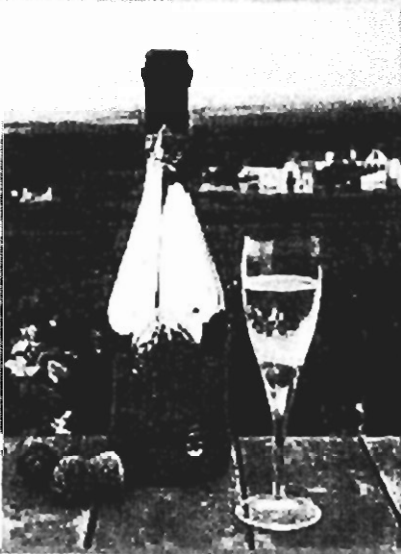
#

From: "Scott Cohen" <scottcohen@armanddebrignac.com>
To: nicole.pereira@mhusa.com
Date: 03/21/2012 10:11 AM
Subject: Armand de Brignac Featured in Dreams Magazine

Armand de Brignac Champagne, now available in much of Southeast Asia, has been given a tremendous reception in the region by local press, sommeliers, and restaurateurs. We've previously shared some of the fantastic coverage from Thailand – the latest feature article comes from Indonesia, where the luxury publication *Dreams* has featured our Champagne in a massive three-page article detailing every facet of our 100% handmade, top-rated cuvées. Below, please find a preview of the article; a full-size, high resolution PDF (in English) can be sent to you directly upon request.

Enjoy the article below, and please let us know where you've seen our bottles in your own country or city!

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And visit our Media Gallery at www.armanddebrignac.com/slideshow



ARTICLE

« L'association de la vigne et du vin est une tradition qui s'est perpétuée au fil des siècles. Elle est au cœur de notre identité et de notre patrimoine. C'est pourquoi nous nous efforçons de préserver cette tradition tout en innovant pour répondre aux défis du futur. »



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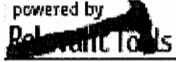


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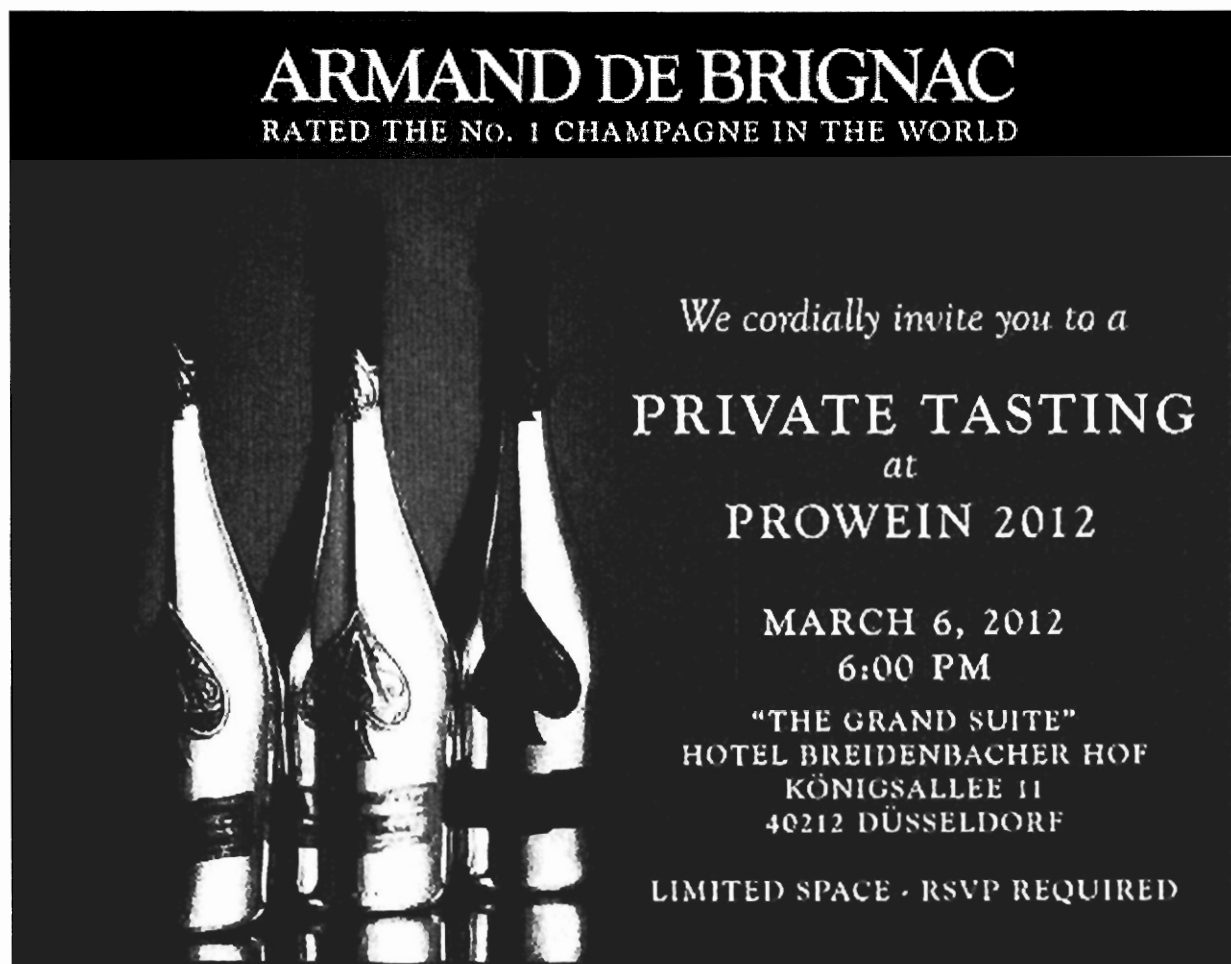
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#

From: "Scott Cohen" <scottcohen@armanddebrignac.com>
To: nicole.pereira@mhusa.com
Date: 02/17/2012 11:49 AM
Subject: Armand de Brignac Champagne at Prowein 2012

We're excited to announce that Armand de Brignac Champagne will be present at next month's **Prowein** expo in Düsseldorf, Germany! Besides being available to meet during the show on March 5 and 6, we're holding an exclusive private tasting, hosted by our European Sales Director Gérald Loparco, on the evening of the 6th. If you happen to be planning to attend Prowein, please reply to this email to schedule a meeting during the show or to reserve a place at our private tasting.

We look forward to seeing you in Düsseldorf!



ARMAND DE BRIGNAC
RATED THE NO. 1 CHAMPAGNE IN THE WORLD

We cordially invite you to a
PRIVATE TASTING
at
PROWEIN 2012

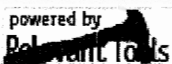
MARCH 6, 2012
6:00 PM
"THE GRAND SUITE"
HOTEL BREIDENBACHER HOF
KÖNIGSALLEE 11
40212 DÜSSELDORF

LIMITED SPACE - RSVP REQUIRED

Scott D. Cohen

Director of Marketing

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#

From: "Scott Cohen" <scottcohen@armanddebrignac.com>
To: nicole.pereira@mhusa.com
Date: 12/08/2011 11:22 AM
Subject: Justin Timberlake, Elton John, and Armand de Brignac Champagne

Happy Holidays once again! I am happy to share with you some more exciting news around the world's No. 1 Rated – and only 100% hand-crafted—Champagne, Armand de Brignac. *People* Magazine recently reported that Justin Timberlake and on-again squeeze Jessica Biel joined Elton John and his husband David Furnish for a concert at Timberlake's NYC restaurant Southern Hospitality. After the show, Timberlake poured glasses of Armand de Brignac for all at his table in celebration of a friend's birthday.

Armand de Brignac continues to be the only choice for truly special celebrations - and not just those thrown by celebrities! As the world's top rated Champagne, the uniquely handcrafted and exceedingly limited Armand de Brignac range stands alone as bottles truly fitting the season's most memorable occasions. For help finding Armand de Brignac near you, just reply to this email!

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People


CAUGHT IN THE ACT!


**Justin Timberlake & Jessica
Biel's Private Concert in
N.Y.C.**



 Like

 +1

 Share

 Tweet

 Send

Justin Timberlake and Jessica
Biel held court at a star-studded
table during the invite-only
reopening of the original Southern

Hospitality on New York's Upper East Side. The on-again couple was joined
by **Elton John** and his husband **David Furnish** as they watched One
Republic perform a private concert, featuring all their hits. After the show,
Timberlake personally poured Armand de Brignac champagne for everyone
at his table – as they all toasted a friend's birthday. – *Jennifer Garcia*

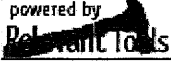
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From: "Scott Cohen" <scottcohen@armanddebrignac.com>
To: nicole.pereira@mhusa.com
Date: 10/13/2011 04:06 PM
Subject: The No. 1 Champagne in the World on the Best Airline in the World

We at Armand de Brignac are proud to congratulate our friends at Oman Air for their recent recognition as Airline of the Year, conferred at Laurier d'Or du Voyage d'Affaires in France this month. This comes on the heels of Oman Air's recognition by Skytrax for having the Best Business Class Seat in the World as well. The airline is frequently recognized for having outstanding first-class and business-class service, and proudly serves Armand de Brignac Champagne to passengers in its first-class cabins.

We're proud that Armand de Brignac is served in some of the world's most prestigious venues – on land, air, and sea – and salute Oman Air on this wonderful achievement. A full article about the award is available at <http://www.skyclub.com/news/2011/10/03/oman-air-wins-airline-of-the-year-in-france/>. Enjoy!

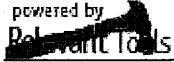
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#

From: "Scott Cohen" <scottcohen@armanddebrignac.com>
To: nicole.pereira@mhusa.com
Date: 08/16/2011 02:26 PM
Subject: Kelly Slater Celebrates Historic Surfing Win with Armand de Brignac

The world's No. 1 rated Champagne, Armand de Brignac, defended its title as the Champagne of Champions last week in Huntington Beach, California- this time in the world of professional surfing. Surf legend Kelly Slater, a ten-time Association of Surfing Professionals (ASP) champion, took home last weekend's Nike US Open of Surfing trophy, setting records as the youngest (at age 20) and oldest (at 38) athlete to win titles. Slater celebrated his historic ASP win in grand style with a bottle of Armand de Brignac Brut Gold.

This exciting news is further testament that champions celebrate with Armand de Brignac Champagne. In 2009, the New York Yankees celebrated their World Series victory with Armand de Brignac Brut Gold. In 2010, Formula 1's Grand Prix Champions Red Bull Racing toasted their title with the same Champagne. And, earlier this year, both NBA Champions the Dallas Mavericks and Stanley Cup Champions the Boston Bruins celebrated their respective wins in grand style with Armand de Brignac.

Please see a photo of Kelly Slater and his bottle of Armand de Brignac below!

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#

EXHIBIT P



Champagne Armand De Brignac **No. 1 in the World**

Dear Esteemed Guests,

I would like to take this opportunity and welcome you to the Blue Palace A luxury Collection Resort & Spa and to the island of Crete.

After a brilliant collaboration with Armand De Brignac champagne rated No 1 in the world by the "Fine Champagne Magazine", we are pleased to announce a 25 % discount either for the Gold, Blanc de Blancs or Rose in all the hotel premises.

Best personal regards,

Michael Frydas
Food and Beverage Manager

EXHIBIT Q

August 23, 2012

HUFF
POST FOOD

Usain Bolt Celebrates With \$125,568 Bottle Of Freebie Champagne

Posted: 08/13/2012 11:41 am

Jamaican track star Usain Bolt has a lot to celebrate after winning big at the London Olympics, and he did just that over the weekend with an bottle of Champagne valued at nearly \$125,568, or £80,000.

The Drinks Business writes that after breaking the world record for the 4 by 100-meter relay, Bolt enjoyed a 15 liter Nebuchadnezzar of Armand de Brignac Champagne, known as Ace of Spades, which had been brought to his VIP table at the London nightclub Movida. By the way, the bottle's size is the the equivalent of 20 bottles.

The Associated Press writes that Bolt left the club with his teammate Yohan Blake around 6 a.m.

Meanwhile across town at the Chinawhite nightclub, American swimmer Ryan Lochte and South African swimmer Chad le Clos enjoyed a nearly \$3,158 (£2,012) cocktail, which contained Hennessy Paradis Imperial Cognac, Luxor 24-carat gold leaf Champagne and a pair of handmade 18-carat gold rings lying at the bottom of the glass.

In a previous press release, Armand de Brignac Champagne's producer describes the drink:

Armand de Brignac, the world's number one rated Champagne, is a prestige cuvee handcrafted and produced using old-world techniques by a staff of just eight people in a single-family owned vineyard and house established in 1763 in Chigny-les-Roses, France. The company also reveals that the libation was also chosen by both the NBA's Dallas Mavericks and the NHL's Boston Bruins to celebrate their Championship wins.

ALSO ON HUFFPOST:

EXHIBIT R

[Click here to print](#)

MailOnline

Cork blimey! Businessman splashes out £125,000 on ONE bottle of champagne as he spends £200,000 in a single bar round

- Two waiters were needed to carry the 99lb bottle of champagne
- It was so big it was the equivalent of 40 standard bottles of bubbly
- The man also had to pay a 10% service charge - costing more than £18,500

By [Julian Gavaghan](#)

UPDATED: 13:26 EST, 5 March 2012

A businessman blew £125,000 on a single bottle of the world's most expensive champagne while buying a round of drinks for more than £200,000 in a night club.

The financier ordered a 30-litre double Nebuchadnezzar-size bottle of Armand de Brignac Midas bubbly along with £60,408 on other beverages for his 10-man entourage.

Two waiters at the PlayGround nightclub at Liverpool's Hilton - which is on a huge publicity drive promising to bring 'six star Vegas luxury to Merseyside' - were needed to carry in the bulky 99lb bottle of champagne, which is the equivalent of 40 standard ones.

Playground
 VAT: 975 781 070
 702 Steven 1

TBL 50/1 7583 GST 1
 04MAR'12 2:08

1 Ace Midas 30L	125000.00
1 Spades MET	24000.00
2 @ 4500.00	
Spades Brut	9000.00
40 @ 500.00	
Ace of Spades	20000.00
6 @ 325.00	
L/P Rose Magnum	1950.00
1 L/P Brut	1250.00
20 Coke 200ml @ 2.00	40.00
21 @ 2.00	
Lemonade 200ml	42.00
2 @ 2000.00	
Grey Goose 4.5L	4000.00
42 Pussy @ 3.00	126.00
30901.33 VAT	185408.00
Beverage	208.00
Wine	181200.00
Liquor	4000.00
10% Service Chrg	18540.80
TOTAL DUE	203948.80

GRATUITY: _____

ROOM No: _____

NAME: _____

SIGNATURE: _____

VAT FREE TUESDAYS! 20% OFF YOUR
 BILL EVERY TUE WITH THIS RECEIPT

© Pete Goddard / Splash News



Bubbly hell! The £203,948 bill, including the £125,000 charge for the giant bottle of Armand de Brignac champagne (right), pictured alongside a regular bottle

He also ordered 40 single bottles of Ace of Spade champagne along with £4,000 worth of Grey Goose vodka, which he handed them out to women there last night.

The anonymous high-flier - a businessman from London - settled the bill for £203,948.80 after paying a 10 per cent service charge – worth a massive £18, 540 – on top of the £185,408.80 drinks total.

One clubber said: 'The club went wild when he popped this huge bottle of champagne, and they were handing out glasses of champagne to everyone in the VIP room.'



Heavy load: Two waiters were required to carry the 99lb double Nebuchadnezzar-sized bottle



Hot spot: Inside the PlayGround nightclub at the Hilton Hotel

'SUMPTUOUS AND RACY': THE WORLD'S NUMBER ONE BUBBLY

Armand de Brignac is a non-vintage Champagne made by Champagne Cattier.

It was introduced in 2006 and is a product of the Cattier family's Premier Cru vineyards.

The bottle drunk by the businessman Armand de Brignac Brut Gold is identifiable by its gold bottle with pewter Ace of Spades on its label.

It is described on its website as a 'sumptuous racy fruit character that is perfectly integrated with the wine's subtle brioche accents'.

The bubbly contains Chardonnay, Pinot Noir and Pinot Meunier.

Has been named the number one champagne in the world after blind tasting by wine experts.

'Frankly there was no way all his group would have got through the bottle on their own anyway.

'This guy was phenomenally generous and was buying everyone in the place a drink.

'Funny thing was though that he didn't seem to be drinking much himself and looked totally sober but he was clearly having a great time.'

Nightclub boss George Panayiotou ordered the DJ to play The Dawn of Man, the iconic anthem to the film 2001: A Space Odyssey, as the huge bottle was carried through.

The clubber added: 'The party went off with a bang and everyone was toasting this guy's generosity.

'He was there with about 10 friends on a private table but after the big bottle came in they were mobbed with gorgeous girls.

-- 'There must have been about 60 of them at any time vying for his attention and he then ordered shots for every single woman in the club.'



© Pete Goddard / Splash News

Venue: Outside the night club in Liverpool

Manager of the club Vasco Carealho said the man wanted to remain anonymous. He said he was a businessman from London, believed to be in his twenties or thirties, and it not known what occasion he was celebrating.

He said: 'He was in the club on Saturday and he had pre-ordered the bottle. He has been to the club a couple of times.'

'The fact he wanted to order something like that was unusual and it was a surprise but we welcomed it and we just created the best spectacle for the service of the bottle.'

The club has been open since December 16.

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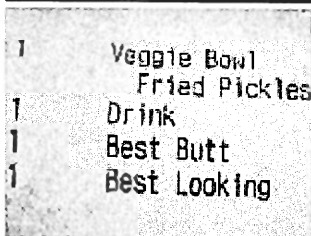
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The guy's got some amount of BOTTLE !!

- Speedo, Highway 66, 07/3/2012 16:12

Click to rate __ Rating 1

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For that money he could have bought and invested in a villa and pool in the sunshine, and would have got more pleasure, word for this bloke - plonker!

- FunkSoulBrother, UK , 07/3/2012 13:12

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What's that he bought 42 of on the receipt? Brilliant

- Tom, UK, 07/3/2012 11:42

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Sick and disgusting!

- Brit abroad, no longer abroad, 07/3/2012 07:29

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Why the hell do people think they look cool wearing sunglasses indoors!!? You look ridiculous!! - Katy, London, 6/3/2012 17:18

***** And what

about the unfortunate people who are blind.. Do they look silly also. ? - Badger, Oxon, 6/3/2012 18:32

***** Red arrowed

for stating that blind people do NOT look ridiculous in sunglasses...Strange world we live in...

- Badger, Oxon, 07/3/2012 02:48

Click to rate __ Rating 2

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People like this revolt me to the pit of my stomach.

- harry, new york, 06/3/2012 23:29

Click to rate __ Rating 6

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Awkward that the business man was actually named as 23 Year old Alex Hope on our local radio - he must be so upset his name was outed //////////////

- Jo, Liverpool , 06/3/2012 21:40

Click to rate __ Rating 12

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Do u think he went back on Tuesday for his 20% discount with that receipt? Lol

- Bop, London, 06/3/2012 20:42

Click to rate __ Rating 29

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Obvious publicity for George from Desperate Scousewives and his club. Staggering to think people are making this kind of money in this day and age, even worse to hear what they spend it on.

- Jenny Sands, London, 06/3/2012 20:33

-- Click to rate __ Rating 7

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"I could afford this bar bill but would never ever consider doing it not in a million years. My friends and I who are high net worth individuals and self made spend our money frugally. We drive mid range cars own modest homes and generally try to avoid the limelight. My only luxury is my home in Belgravia. Here in Stornoway I live in a modest home and walk to the CO OP. This businessman or whatever he actually is must be something more than a high flyer. Use your imagination. This kind of behavior makes no sense." - Magnus, Stornoway, 5/3/2012 18:50.....Absolutely true, Magnús, and I applaud you. You certainly have got all your priorities right. Greetings to beautiful Stjórnavágr.

- Susan, Manchester , 06/3/2012 20:00

Click to rate __ Rating 12

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EXHIBIT S



NEWSLETTER LANGUAGE

Menu

*Rated the
No. 1 Champagne
in the World.*

WATCH THE STORY OF ARMAND DE BRIGNAC

*Fine Champagne Magazine, 2010



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NEWSLETTER LANGUAGE

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Menu

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AUG 24 2012

PLAINTIFFS

MOET HENNESSY USA, INC.

DEFENDANTS

ACE OF SPADES HOLDINGS, LLC; ARMAND DE BRIGNAC HOLDINGS, LLC; SOVEREIGN BRANDS, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Thomas M. Gniot, Esq., Barack Ferrazzano Kirschbaum & Nagelberg, LLP,
200 W. Madison Street, Suite 3900, Chicago, IL 60606
312-984-3100

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

False Advertisement under the Lanham Act (15 U.S.C. 1125)

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY -	[] 610 AGRICULTURE
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	[] 365 PERSONAL INJURY	[] 620 OTHER FOOD &
[] 130 MILLER ACT	LIABILITY	[] 368 ASBESTOS PERSONAL	DRUG
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	INJURY PRODUCT	[] 625 DRUG RELATED
INSTRUMENT	SLANDER	LIABILITY	SEIZURE OF
[] 150 RECOVERY OF	[] 330 FEDERAL		PROPERTY
OVERPAYMENT &	EMPLOYERS'		21 USC 881
ENFORCEMENT	LIABILITY		[] 630 LIQUOR LAWS
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 640 RR & TRUCK
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT		[] 650 AIRLINE REGS
[] 152 RECOVERY OF	LIABILITY	[] 370 OTHER FRAUD	[] 660 OCCUPATIONAL
DEFAULTED	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	SAFETY/HEALTH
STUDENT LOANS	[] 355 MOTOR VEHICLE	[] 380 OTHER PERSONAL	[] 690 OTHER
(EXCL VETERANS)	PRODUCT LIABILITY	PROPERTY DAMAGE	
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	PRODUCT LIABILITY	
OVERPAYMENT	INJURY		LABOR
OF VETERAN'S			[] 710 FAIR LABOR
BENEFITS			STANDARDS ACT
[] 160 STOCKHOLDERS		PRISONER PETITIONS	[] 720 LABOR/MGMT
SUITS			RELATIONS
[] 190 OTHER		[] 510 MOTIONS TO	[] 730 LABOR/MGMT
CONTRACT		VACATE SENTENCE	REPORTING &
[] 195 CONTRACT	ACTIONS UNDER STATUTES	20 USC 2255	DISCLOSURE ACT
PRODUCT	CIVIL RIGHTS	[] 530 HABEAS CORPUS	[] 740 RAILWAY LABOR ACT
LIABILITY	[] 441 VOTING	[] 535 DEATH PENALTY	[] 790 OTHER LABOR
[] 196 FRANCHISE	[] 442 EMPLOYMENT	[] 540 MANDAMUS & OTHER	LITIGATION
	[] 443 HOUSING/		[] 791 EMPL RET INC
	ACCOMMODATIONS		SECURITY ACT
REAL PROPERTY	[] 444 WELFARE	PRISONER CIVIL RIGHTS	IMMIGRATION
[] 210 LAND	[] 445 AMERICANS WITH	[] 550 CIVIL RIGHTS	[] 482 NATURALIZATION
CONDEMNATION	DISABILITIES -	[] 555 PRISON CONDITION	APPLICATION
[] 220 FORECLOSURE	EMPLOYMENT		[] 463 HABEAS CORPUS-
[] 230 RENT LEASE &	[] 446 AMERICANS WITH		ALIEN DETAINEE
EJECTMENT	DISABILITIES -OTHER		OTHER IMMIGRATION
[] 240 TORTS TO LAND	[] 440 OTHER CIVIL RIGHTS		ACTIONS
[] 245 TORT PRODUCT	(Non-Prisoner)		
LIABILITY			
[] 290 ALL OTHER			
REAL PROPERTY			

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1332, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[]	[]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[]	[]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[]	[]
CITIZEN OF ANOTHER STATE	[]	[]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[]	[]	FOREIGN NATION	[]	[]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

85 Tenth Avenue
New York, NY 10011
New York County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Ace of Spades Holdings, LLC, 480 Broome Street, Suite 2, New York, NY 10013, New York County
Armand de Brignac Holdings, LLC, 480 Broome Street, Apt. 2, New York, NY 10013, New York County
Sovereign Brands, LLC, 81 Greene Street, Apt. 2, New York, NY 10012, New York County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 8/24/12 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. 7 Yr. 2005)
Attorney Bar Code # 4315404

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____

MAG. DOLINGER
Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)