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## Like Barbacoa, Big Red and the Breakfast Taco, Michelada Belongs to S.A.

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The binational popularity of the spicy spiking of beer to create what's known as a michelada led to a commercial product and a trademark dispute that found its way into the federal courthouse.

The dispute pitted San Antonio-based SPFM L.P., a Gray Reed client, against a California man, Mario Felix, over the mass production of micheladas — specifically, over a styrofoam cup with a layer of flavoring and spices around its rim.

The first commercially viable michelada cup was developed by Felix in 2012, which he named “Don Chelada,” court records say. Two years later, he signed over the rights to SPFM and was to get royalties from the San Antonio firm’s mass production and distribution, according to court documents.

But rather than take his cut and walk away, Felix turned around and began producing a similar mix cup with names such as “Mucho Macho” and “Lotería,” among others, SPFM alleges. He also told buyers that he is Don Chelada and that he can sell the cups at a lesser cost, effectively undercutting SPFM, the company said in a trademark infringement lawsuit it filed against him.

At a court hearing in mid-December in San Antonio, SPFM, led by Gray Reed’s [David Henry](#), asked U.S. District Judge Xavier Rodriguez for an injunction to bar Felix from producing knockoffs and associating himself with the Don Chelada character.

Judge Rodriguez ruled in SPFM’s favor.

For the full story, read [this San Antonio Express News article](#).