Mello Joy Coffee reincarnated after 20 years

In 1973, Mello Joy Coffee, a Lafayette landmark since 1936, was purchased by Community Coffee, the leading coffee producer in the state. Mello Joy, which possessed a 75 percent market share in the Acadiana region, proved to be a valuable commodity for Community, for it allowed an entry into an area that had otherwise been dominated by its smaller rival.

In November of 2000, a young entrepreneur sought to reclaim that tradition and return Mello Joy to the same shelves it had once occupied. Brian Begnaud worked in business development for an engineering firm in Houston and was a grandson of the original owner of Mello Joy. His job required him to make calls back to the Acadiana market, and during these calls back he kept hearing from people, " Didn't your family use to own a coffee company named Mello Joy? Whatever happened to that coffee?" We loved it, it was great."

One day, Begnaud started looking into trademark laws and found a loophole stating that three to five years of nonuse constitute abandonment. It had been 20 years since Community Coffee had last used the Mello Joy trademarks.

Begnaud had a friend, an attorney in one of the largest trademark and patent law firms in the country. He invited him to have a few drinks during the visit to be able to get information about how the trademark system worked.

He discovered that Community wasn’t warehousing the trademark, which meant Community had bought it out and had no plans of doing anything with it.

Begnaud said he soon began to see potential in the situation, although he was not thinking of anything grandiose.

"My initial plan was that I was going to do it in the Internet mail order business. I just wanted to start it as a hobby, " Begnaud said. He went through the necessary channels and filed a trademark application in November 2000. Soon after, he started searching the Internet for coffee roasters, and settled on one in Atlanta.

With the roaster selected, he got samples done, but this was more difficult than he thought it would be.

"I heard time and again, again, again, that it (Mello Joy) was the coffee that if you shook a spool in it, it would stand up, and so that was kind of a hard thing to explain to somebody at a roast," Begnaud said through a smile.

With 50 pounds of the coffee in hand, he started giving it out to people he knew and said, "What do you think?" Overwhelmingly the response was, "We love it, where can we buy some more?" Begnaud said.

Armed with those responses, Begnaud started soliciting retailers, and it was at this time that the confrontation with Community Coffee began.

The lawsuit would prove to be a lengthy and costly battle. Begnaud armed one attorney, Joe Lemoine from Ouchita Law Firm, another attorney, and faced an army of 10 to 12 attorneys representing Community Coffee.

Begnaud said that if Community would have offered the right amount of money, he would have gladly sold it, because up to that point, he had only invested $325 in the process.

"Looking at it from a business standpoint, I was only in it for a couple of months, and I didn't have anything to lose," Begnaud said.

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