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NatureSweet files lawsuit against Mastronardi Produce

April 12, 2023

[NatureSweet](#) has filed a third lawsuit against Mastronardi Produce LTD and Mastronardi Produce-USA Inc. The lawsuit alleges that Mastronardi is mimicking NatureSweet’s licensed packaging once again, and as a result has caused consumer confusion.



NatureSweet is defending the intellectual property of CHERUBS. Driven by its mission to transform the lives of agricultural workers in North America, NatureSweet said it will continue to protect its brand and iconic packaging that is widely recognized by consumers and has de-commoditized the snacking tomato category in retail since its 2006 introduction to the market.

As alleged in the complaint, Mastronardi’s newest package design — a clear plastic dome with a yellow lid — is not only a departure from what it has been doing for years but is asserted by NatureSweet to be nothing more than a blunt strategy to confuse consumers.

As alleged in the complaint, Mastronardi made attempts in 2021 and 2012 to mimic NatureSweet. After prior lawsuits filed by NatureSweet, Mastronardi began using different packaging. Now, as detailed in the complaint, Mastronardi is trying again to “borrow” equity the NatureSweet CHERUBS brand has created and nurtured for more than a decade.

“At NatureSweet, we feel an obligation to protect our customers and consumers since we are committed to delivering the best quality products on a consistent basis,” said Rodolfo Spielmann,

president and CEO of NatureSweet. “Because of that, consumers and customers have rewarded us with more than three times the sales compared to our next competitor. We are surprised that when we invest millions of dollars in marketing in our brand which drove category growth, others would need to resort to copying our known packaging to confuse consumers and draft on our investment.”

The company said this lawsuit aims to protect the integrity of the grape tomato category. NatureSweet said consumers have learned to trust its CHERUBS quality, and that a bad experience from a product purchased while being confused about which product is NatureSweet could derail that trust.

Specifically, NatureSweet filed a Complaint asking the court to, among other things, make Mastronardi stop using its new packaging for its grape tomato products. “After years of significant research, resources and investment, NatureSweet has developed its unique assets for the brand,” said Spielmann, “This is an issue of trust and integrity for NatureSweet, our Associates, customers, and consumers.”

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