

ESTTA Tracking number: **ESTTA15609**

Filing date: **09/22/2004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

### Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

#### Opposer Information

<b>Name</b>	Kingston Estate Wines Pty Ltd
<b>Granted to Date of previous extension</b>	09/22/2004
<b>Address</b>	Kingston Estate Wines Pty Ltd P.O. Box 67 Kingston-on-Murray South Australia, 5331 AUSTRALIA

<b>Attorney information</b>	J. SCOTT GERIEN OWEN, WICKERSHAM & ERICKSON P.C. 455 MARKET STREET, 19TH FLOOR SAN FRANCISCO, CA 94105 UNITED STATES sgerien@owe.com Phone:415-882-3221
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#### Applicant Information

<b>Application No</b>	78287765	<b>Publication date</b>	05/25/2004
<b>Opposition Filing Date</b>	09/22/2004	<b>Opposition Period Ends</b>	09/22/2004
<b>Applicants</b>	Landrum, Lisa Jant Beard Landrum, Vern Alan		

## Goods/Services Affected by Opposition

Class 033.

All goods and services in the class are opposed, namely: wine and fruit wine

<b>Attachments</b>	king.pdf ( 2 pages )
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<b>Signature</b>	s/j. scott gerien/
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<b>Name</b>	J. SCOTT GERIEN
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<b>Date</b>	09/22/2004
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OWEN, WICKERSHAM & ERICKSON  
A PROFESSIONAL CORPORATION  
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Certificate of Electronic Filing

I hereby certify that this correspondence is being electronically filed on the date indicated below with the TTAB through the ESTTA system located at <http://estta.uspto.gov>.

Dated: 9/22/04

Signed   
J. Scott Gerien, Esq.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Application

Serial No.: 78/287,765  
Filed: August 14, 2003  
Mark: KINGSTON RIDGE  
International Class: 33  
Goods: Wine and fruit wine

KINGSTON ESTATE WINES )	) Opposition No.
PTY LTD. )	
) Opposer,	) <b>NOTICE OF OPPOSITION</b>
v. )	
LANDRUM, LISA JANT BEARD )	
and LANDRUM, VERN ALAN )	
) Applicants.	)

Kingston Estate Wines Pty Ltd., a company organized under the laws of Australia with a mailing address of P.O. Box 67, Kingston-on-Murray, South Australia, 5331, AUSTRALIA ("Opposer"), believes it will be damaged by registration of the mark KINGSTON RIDGE for wine and fruit wine, shown in Serial No. 78/287,765, filed on August 14, 2003 by Lisa Jant Beard Landrum and Vern Alan Landrum ("Applicants") and hereby opposes the same.

As grounds in support of its opposition, Opposer asserts as follows:

1. Opposer, is the owner of U.S. Trademark Registration No. 1,924,781 for the mark KINGSTON ESTATE for wines registered on October 3, 1995.
2. Opposer, is the owner of U.S. Trademark Registration No. 2,224,930 for the mark KINGSTON MISSION for wines registered on February 23, 1999.

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3. Applicants filed a Section 1(b) trademark application for the mark KINGSTON RIDGE for wine and fruit wine, shown in Serial No. 78/287,765, on August 14, 2003.

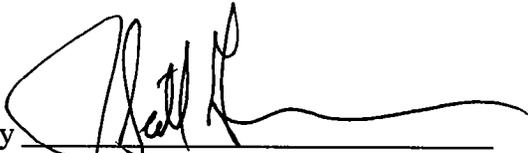
4. Applicants' mark so resembles Opposer's previously registered marks KINGSTON ESTATE and KINGSTON MISSION as to be likely, when applied to Applicants' goods set forth in the application, to cause confusion, mistake or deception within the meaning of Section 2(d) of the Trademark Act and thereby cause harm to Opposer

WHEREFORE, Opposer prays that the opposition be sustained and that registration be refused.

Applicant requests that the \$300.00 filing fee for this opposition be debited from Applicant's counsel's deposit account #502333.

Respectfully submitted,

OWEN, WICKERSHAM & ERICKSON P.C.

By   
J. Scott Gerien

455 Market Street, 19th Floor  
San Francisco, CA 94105  
(415) 882-3200

Attorneys for Opposer  
Kingston Estate Wines Pty Ltd.

Dated: September 22, 2004

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