

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

HERON WINES,) Opposition No. 91166211
)
Opposer) Serial No. 78/429,993
)
v.) NOTICE OF CONSENTED
) WITHDRAWAL OF OPPOSITION
WINERY EXCHANGE, INC.) PURSUANT TO 37 C.F.R. §2.106(c) and TBMP
) 601.01
_____ Applicant.)

Commissioner for Trademarks
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

Opposer Heron Wines ("Opposer") filed its Notice of Opposition in this Action on August 11, 2005. Applicant Winery Exchange, Inc. ("Applicant") filed its Answer on November 3, 2005. The parties have since reached a Settlement Agreement in this matter. Accordingly, pursuant to 37 C.F.R. § 2.106(c) and TBMP § 601.01, Opposer hereby withdraws its Notice of Opposition in this action.

Applicant, by its counsel, PILLSBURY WINTHROP SHAW PITTMAN LLP, has consented in writing to this Withdrawal.

Respectfully submitted,

MANATT, PHELPS & PHILLIPS, LLP

Date: March 8, 2006

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this **NOTICE OF CONSENTED WITHDRAWAL OF OPPOSITION PURSUANT TO 37 C.F.R. § 2.106(C) AND TBMP 601.01** has been deposited with the United States Postal Service as Express Mail, Certificate No. EV 724103264 US postage pre-paid, in an Express Mail envelope addressed to: U.S. Patent and Trademark Office, Trademark Trial and Appeal Board, P. O. Box 1451, Alexandria, Virginia 22313-1451 on this 8th day of March, 2006.

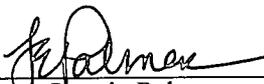


Laurie Palmer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **NOTICE OF CONSENTED WITHDRAWAL OF OPPOSITION PURSUANT TO 37 C.F.R. § 2.106(C) AND TBMP 601.01** has been properly served, via first class mail, postage prepaid, on the following attorneys for Applicant this 8th day of March, 2006.

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