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Filing date: **11/28/2006**

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

Proceeding	91169295
Party	Plaintiff Hardy Wine Company Limited
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Date	11/28/2006
Attachments	NOR_91169295_DancingVine.pdf (2 pages)(115974 bytes) WaltzingVine_REGCERT.pdf (2 pages)(401867 bytes)

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

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HARDY WINE COMPANY LIMITED

Opposition No. 91169295

Opposer,

Marks: DANCING VINE

v.

Serial No.: 78/589830

WATTS TRANSPORTATION, LLC,

Applicant.

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OPPOSER'S FIRST NOTICE OF RELIANCE
PURSUANT TO 37 CFR §2.122(d)(2)

Please take notice that Opposer, Hardy Wine Company Limited, pursuant to 37 CFR §2.122(d)(2) is hereby noticing its reliance on the following U.S. Trademark Registration owned by Opposer. A copy of the registration, prepared and issued by the Patent and Trademark Office showing both the current status and the current title to the registration, is attached hereto.

The registration is:

- Reg. No. 2,999,135 for the mark "WALTZING VINES" in International Class 33.

This registration is relevant to the similarity of Opposer's WALTZING VINES mark and the mark being opposed, as well as the similarity of the parties' respective goods and services, the channels of trade through which the goods travel and all other DuPont factors.

Respectfully submitted,
BAKER and RANNELLS PA



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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing OPPOSER'S FIRST NOTICE OF RELIANCE PURSUANT TO 37 CFR SECTION 2.122(e) in re Hardy Wine Company Limited v. Watts Transportation LLC, Opposition No. 91169295, was forwarded by first class postage pre-paid mail this 28th day of November, 2006 to the Applicant at the following address:

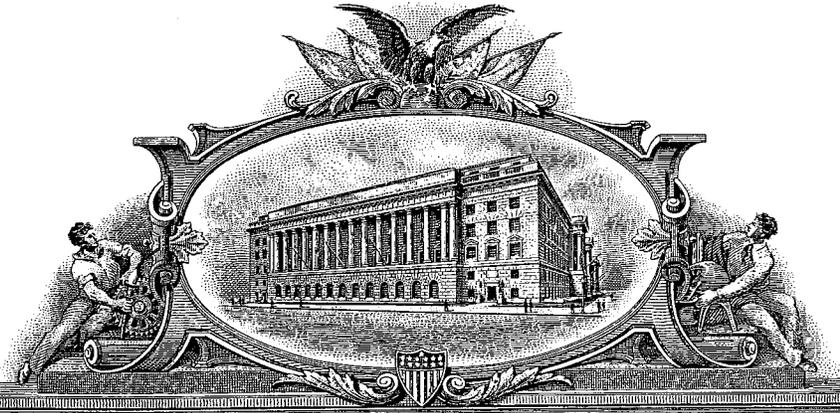
Gregory T. Meath, Esq.
Meath & Pereira
306 East Main Street, Suite 303
Stockton, California 95202-2908



Stephen L. Baker

DATED: November 28, 2006

7040070



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

November 20, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,999,135 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *September 20, 2005*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office


N. WILLIAMS
Certifying Officer



Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 2,999,135

Registered Sep. 20, 2005

**TRADEMARK
PRINCIPAL REGISTER**

WALTZING VINES

HARDY WINE COMPANY LIMITED (AUSTRALIA CORPORATION)
REYNELL ROAD
REYNELLA, AUSTRALIA SA 5161

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "VINES", APART FROM THE MARK AS SHOWN.

FOR: WINES, IN CLASS 33 (U.S. CLS. 47 AND 49).

FIRST USE 4-25-2005; IN COMMERCE 4-25-2005.

SN 78-352,598, FILED 1-15-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SUSAN STIGLITZ, EXAMINING ATTORNEY