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

FRANCISCAN VINEYARDS, INC.,

Opposition No. 91178682

Opposer,

Mark: DOMAINE PINNACLE

v.

DOMAINE PINNACLE, INC.

Serial No.: 78/783,236

Applicant.

MOTION TO WITHDRAW AS COUNSEL

Counsel for Applicant hereby moves to withdraw as counsel for Applicant in the ongoing Opposition Proceeding due to an unavoidable conflict of interest. Franciscan Vineyards, Inc. is owned by a client of counsel for Applicant and therefore it would be a conflict of interest for counsel to continue.

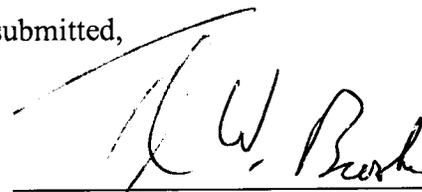
Applicant has been notified of this conflict of interest and requested that Applicant find new counsel. Unfortunately, current counsel has not yet been notified of any new counsel in this case. Applicant will be provided a copy of this Motion and once again asked to find a new attorney to represent it in this matter.

Counsel for Applicant has delivered to Applicant all papers and property that relate to the proceeding and to which Applicant is entitled. No fee was paid in advance by Applicant to Counsel for Applicant.

Respectfully submitted,

Date: MAY 26, 2009

By:



Thomas W. Brooke
Holland & Knight, LLC
2099 Pennsylvania Avenue, N.W.
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05-26-2009

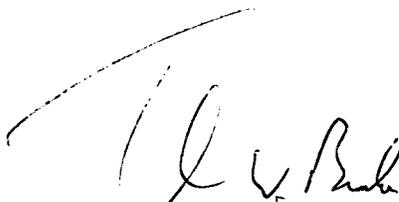
CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of this Motion To Withdraw As Counsel were sent via first class mail to Counsel for Opposer, to Applicant and to Canadian Representative of Applicant at the addresses listed below on May 26, 2009.

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