

ESTTA Tracking number: **ESTTA294828**

Filing date: **07/13/2009**

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

Proceeding	91178682
Party	Plaintiff Franciscan Vineyards, Inc.
Correspondence Address	Stephen L. Baker Baker and Rannells PA 575 Route 28, Suite 102 Raritan, NJ 08869 UNITED STATES officeactions@br-tmlaw.com, K.Hnasko@br-tmlaw.com,r.mcgonigle@br-tmlaw.com, s.baker@br-tmlaw.com
Submission	Motion for Default Judgment
Filer's Name	Linda Kurth
Filer's e-mail	officeactions@br-tmlaw.com,k.hnasko@br-tmlaw.com
Signature	/Linda Kurth/
Date	07/13/2009
Attachments	Motion for Default 7-13-09.pdf ( 2 pages )(16893 bytes )

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

-----X  
Franciscan Vineyards, Inc.

Mark: DOMAINE PINNACLE

Opposer  
v.

Opposition No: 91178682

Domaine Pinnacle, Inc.

Applicant  
-----X

REQUEST FOR ENTRY OF DEFAULT

On May 26, 2009, counsel for the Applicant filed a motion to withdraw as counsel based on a conflict of interest. On June 9, 2009, the Board issued an Order that provided the date of July 9, 2009 for Applicant to respond by either appointing new counsel, or filing a paper stating that applicant was choosing to represent itself. We have no record of the Applicant having served Opposer with a response and a search of the TTAB website similarly reveals that no response by Applicant has been filed. As a result, Opposer respectfully requests that a default be entered.

Respectfully submitted for Opposer  
Franciscan Vineyards, Inc.

By: /Linda Kurth/  
Linda Kurth  
BAKER & RANNELLS  
575 Route 28  
Suite 102  
Raritan, NJ 08869  
(908) 722-5640

Dated: July 13, 2009

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Opposer's Motion for Default, in re Franciscan Vineyards, Inc. v. Domaine Pinnacle, Inc. was forwarded by first class postage prepaid mail by depositing the same with the U.S. Postal Service on this 13th day of July, 2009 to the Applicant at the following address:

Domaines Pinnacle, Inc.  
150 Richford Road  
Frelighsburg, J0L 1C0  
CANADA

/Linda Kurth/  
Linda Kurth