

ESTTA Tracking number: **ESTTA497157**

Filing date: **09/28/2012**

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 jmr@br-tmlaw.com, officeactions@br-tmlaw.com, k.hnasko@br-tmlaw.com
Submission	Plaintiff's Notice of Taking Testimony
Filer's Name	John M. Rannells
Filer's e-mail	jmr@br-tmlaw.com, k.hnasko@br-tmlaw.com
Signature	/John Rannells/
Date	09/28/2012
Attachments	Amended Notice of Testimony Fonseca 9-28-12.pdf (2 pages)(14039 bytes)

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

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Fransican Vineyards, Inc.

Opposer

Mark: DOMAINE PINNACLE and
design

v.

Opposition No. 91178682

Domaine Pinnacle, Inc.

Serial No.: 78783236

Applicant
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**AMENDED NOTICE OF TAKING TESTIMONY
PURSUANT TO 37 CFR SECTION 2.123**

PLEASE TAKE NOTICE that on October 9, 2012, beginning at 10:00 a.m., at the offices of Constellation Brands U.S. Operations, Inc. at 1265 Battery St., San Francisco, CA 94111 (4th Floor), testimony will be taken on behalf of Opposer in the above-captioned opposition proceeding, pursuant to the Rules of Practice in Trademark Cases, before a Notary Public or some other person authorized by law to administer oaths, of the following witness:

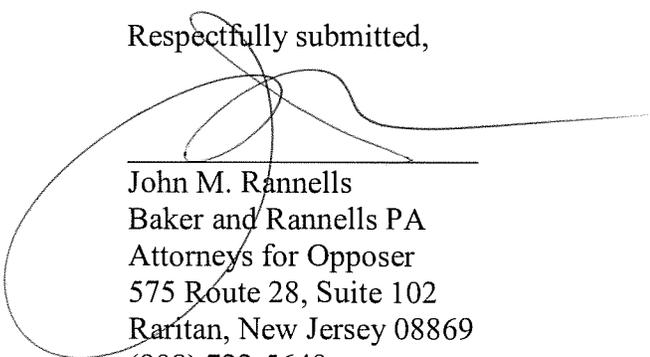
Juan Fonseca

Marketing Director for Mark West and Estancia brands, Constellation Brands, Inc.

The oral examination will continue from day-to-day until completed. You are invited to attend and cross-examine.

Respectfully submitted,

Dated: September 28, 2012



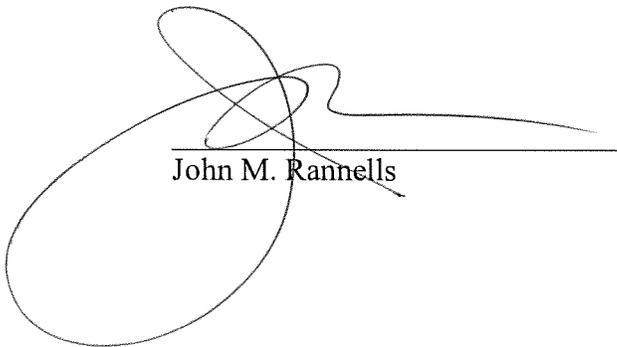
John M. Rannells
Baker and Rannells PA
Attorneys for Opposer
575 Route 28, Suite 102
Raritan, New Jersey 08869
(908) 722-5640
jmr@br-tmlaw.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Amended Notice of Taking Testimony of Juan Fonseca was served via first class mail, postage prepaid, this 28th day of September, 2012 and via email (i.e., Charles@domainepinnacle.com) upon Applicant at the following address of record:

Charles Crawford
DOMAINES PINNACLE INC
150 RICHFORD ROAD
FRELIGHSBURG, QC J0L 1C0
CANADA

DATED: September 28, 2012



John M. Rannells