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Filing date: **06/01/2009**

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

Proceeding	91181755
Party	Plaintiff Franciscan Vineyards
Correspondence Address	Stephen L. Baker Baker & Rannells, PA 575 Route 28, Suite 102 Raritan, NJ 08869 UNITED STATES officeactions@br-tmlaw.com,k.hnasko@br-tmlaw.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Linda Kurth
Filer's e-mail	officeactions@br-tmlaw.com,s.kurth@br-tmlaw.com,k.hnasko@br-tmlaw.com
Signature	/Linda Kurth/
Date	06/01/2009
Attachments	1st Notice of Reliance.pdf (22 pages)(1073884 bytes)

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

FRANCISCAN VINEYARDS, INC.,

Opposition No. 91181755

Opposer,

Mark: BLACK RAVEN BREWING
COMPANY

v.

Serial No. 77223446

BEAUXKAT ENTERPRISES, LLC

Filed: January 8, 2008

Applicant.

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

Please take notice that Opposer, Franciscan Vineyards, Inc. ("Opposer"), pursuant to 37 CFR §2.122(d)(2) is hereby noticing its reliance on the following:

Official Records of the U.S. Patent and Trademark Office, namely copies of registrations owned by Opposer which were prepared and issued by the PTO showing both the current status of and current title to the registrations. The accompanying registrations are as follows and are annexed as Exhibit A:

Trademark	Registration No
RAVENSWOOD	2,118,152
	2,118,153
	2,130,653
RAVENSWOOD	2,132,719
RAVENS	2,888,963
RAVENS	3,134,833
RAGIN' RAVEN	3,153,731

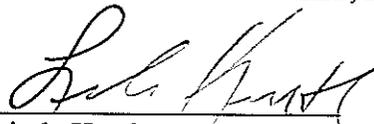
Trademark	Registration No
RAGIN' RAVEN	3,336,587
RAVENS WOOD	3,457,923

Each registration is relevant to the issue of likelihood of confusion, including but not limited to the following factors: the dates that Opposer first began using its marks, the length of time Opposer has used its marks, the similarity of the marks, the similarity of and/or the relatedness and complementary nature of the goods sold by the parties under their respective marks, the similarity of channels of trade through which goods of the same nature are generally and customarily marketed, advertised, offered for sale and sold, and the issue of the strength of Opposer's marks.

Dated: June 1, 2009

BAKER AND RANNELLS, PA

By:



Linda Kurth

Attorney for Opposer
626 North Thompson Street
Raritan, New Jersey 08869
(908) 722-5640

EXHIBIT A

7182217



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

May 21, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,118,152 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 02, 1997*
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

FRANCISCAN VINEYARDS, INC.
A DELAWARE CORPORATION

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

P. SWAIN
Certifying Officer



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,118,152

United States Patent and Trademark Office

Registered Dec. 2, 1997

**TRADEMARK
PRINCIPAL REGISTER**

RAVENSWOOD

RAVENSWOOD WINERY, INC. (CALIFORNIA
CORPORATION)
18701 GEHRICKE ROAD
SONOMA, CA 95476

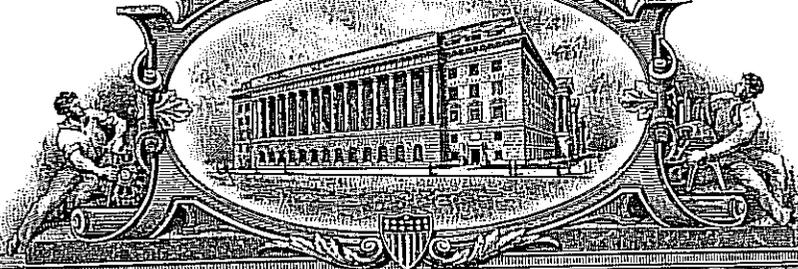
SHIRTS, AND SWEATSHIRTS, IN CLASS 25
(U.S. CLS. 22 AND 39).
FIRST USE 6-30-1990; IN COMMERCE
6-30-1990.

SER. NO. 75-253,704, FILED 3-7-1997.

FOR: CLOTHING, NAMELY, APRONS, BAN-
DANAS, CAPS, GYM SHORTS, HATS, JEANS
JACKETS, POLO SHIRTS, TANK TOPS, T-

SUSANA MIRABALLES TUCCILLO, EXAMIN-
ING ATTORNEY

7182217



THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:
UNITED STATES DEPARTMENT OF COMMERCE**

United States Patent and Trademark Office

May 06, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,118,153 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 02, 1997*
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

FRANCISCAN VINEYARDS, INC.

A DE CORP

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

E. BORNETT
Certifying Officer



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,118,153

United States Patent and Trademark Office

Registered Dec. 2, 1997

**TRADEMARK
PRINCIPAL REGISTER**



RAVENSWOOD WINERY, INC. (CALIFORNIA
CORPORATION)
18701 GEHRICKE ROAD
SONOMA, CA 95476

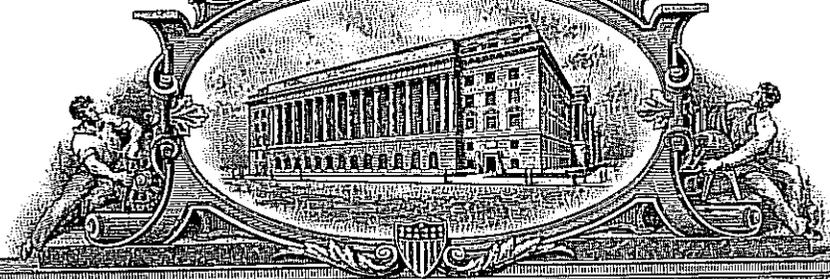
SHIRTS, AND SWEATSHIRTS, IN CLASS 25
(U.S. CLS. 22 AND 39).
FIRST USE 6-30-1990; IN COMMERCE
6-30-1990.

SER. NO. 75-253,705, FILED 3-7-1997.

FOR: CLOTHING, NAMELY, APRONS, BAN-
DANAS, CAPS, GYM SHORTS, HATS, JEANS
JACKETS, POLO SHIRTS, TANK TOPS, T-

SUSANA MIRABALLES TUCCILLO, EXAMIN-
ING ATTORNEY

7182217



THE UNITED STATES OF AMERICA

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UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

May 06, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,130,653 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *January 20, 1998*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *January 20, 2008*
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

FRANCISCAN VINEYARDS, INC.
A DE CORP

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


E. BORNETT
Certifying Officer



Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

Reg. No. 2,130,653

United States Patent and Trademark Office

Registered Jan. 20, 1998

**TRADEMARK
PRINCIPAL REGISTER**



RAVENSWOOD WINERY, INC. (CALIFORNIA
CORPORATION)
18701 GEHRICKE ROAD
SONOMA, CA 95476

FIRST USE 10-23-1978; IN COMMERCE
2-29-1980.

SER. NO. 75-253,593, FILED 3-7-1997.

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

NORA BUCHANAN WILL, EXAMINING AT-
TORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

May 06, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,132,719 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *January 27, 1998*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *January 27, 2008*
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

FRANCISCAN VINEYARDS, INC.
A DE CORP

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


E. BORNETT
Certifying Officer



Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

Reg. No. 2,132,719

United States Patent and Trademark Office

Registered Jan. 27, 1998

**TRADEMARK
PRINCIPAL REGISTER**

RAVENSWOOD

RAVENSWOOD WINERY, INC. (CALIFORNIA
CORPORATION)
18701 GEHRICKE ROAD
SONOMA, CA 95476

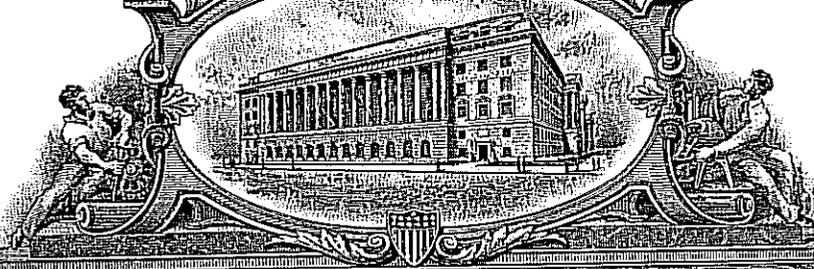
FIRST USE 10-23-1978; IN COMMERCE
2-29-1980.

SER. NO. 75-253,709, FILED 3-7-1997.

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

SUSAN LESLIE, EXAMINING ATTORNEY

7182217



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

May 06, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,888,963 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 28, 2004*
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

E. BORNETT
Certifying Officer



Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

Reg. No. 2,888,963

United States Patent and Trademark Office

Registered Sep. 28, 2004

**TRADEMARK
PRINCIPAL REGISTER**

RAVENS

FRANCISCAN VINEYARDS, INC. (DELAWARE
CORPORATION)
1178 GALLERON ROAD
ST. HELENA, CA 94574

OWNER OF U.S. REG. NOS. 2,118,152 AND
2,132,719.

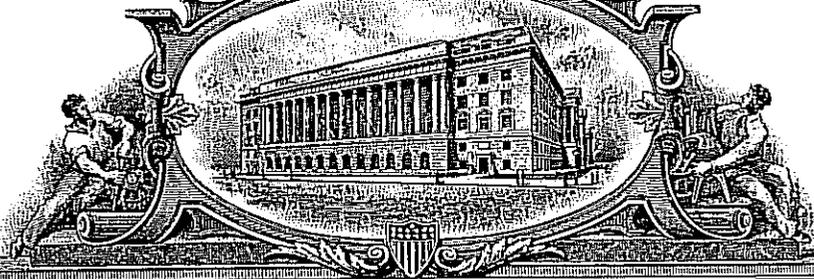
SER. NO. 78-225,748, FILED 3-14-2003.

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

FIRST USE 10-23-1978; IN COMMERCE 10-23-1978.

DAVID H. STINE, EXAMINING ATTORNEY

7182217



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

May 05, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,134,833 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 *August 29, 2006*
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

P. SWAIN
Certifying Officer



Int. Cls.: 25 and 33

Prior U.S. Cls.: 22, 39, 47 and 49

United States Patent and Trademark Office

Reg. No. 3,134,833

Registered Aug. 29, 2006

TRADEMARK
PRINCIPAL REGISTER

RAVENS

FRANCISCAN VINEYARDS, INC. (DELAWARE
CORPORATION)
1178 GALLERON ROAD
ST. HELENA, CA 94574

FOR: APRONS, SHIRTS, T-SHIRTS, CAPS, JACK-
ETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 12-31-1983; IN COMMERCE 12-31-1983.

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

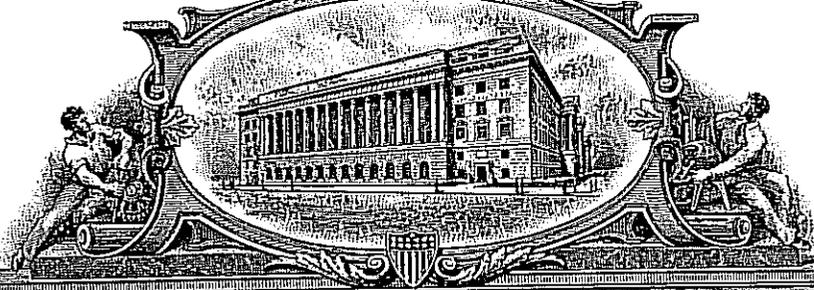
FIRST USE 10-23-1978; IN COMMERCE 2-29-1980.

OWNER OF U.S. REG. NOS. 2,118,153 AND
2,132,719.

SER. NO. 78-209,897, FILED 2-2-2003.

KAREN BRACEY, EXAMINING ATTORNEY

7182217



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

May 05, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,153,731 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 *October 10, 2006*
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

P. SWAIN

Certifying Officer



TRADEMARK
PRINCIPAL REGISTER

RAGIN' RAVEN

FRANCISCAN VINEYARDS, INC. (DELAWARE CORPORATION)
1178 GALLERON ROAD
ST. HELENA, CA 94574

FOR: BARBECUE SAUCE; PICANTE SAUCE; READY-MADE SAUCES; SAUCES; SAUCES FOR BARBECUED MEAT, IN CLASS 30 (U.S. CL. 46).

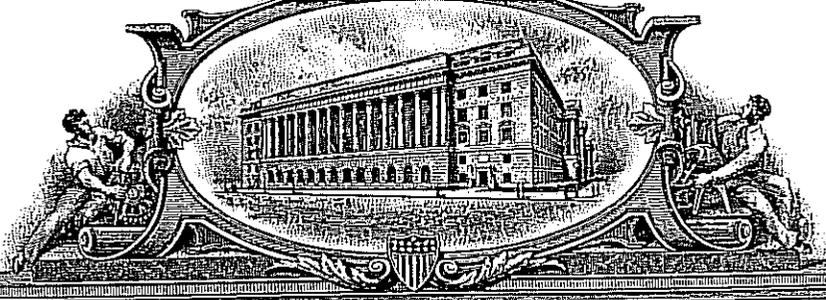
FIRST USE 8-0-2004; IN COMMERCE 8-0-2004.

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

OWNER OF U.S. REG. NO. 2,888,963.

SER. NO. 78-739,702, FILED 10-25-2005.

SHARON MEIER, EXAMINING ATTORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:
UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

May 05, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,336,587 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *November 13, 2007*

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

M. Tarver
M. TARVER
Certifying Officer



Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 3,336,587

Registered Nov. 13, 2007

TRADEMARK
PRINCIPAL REGISTER

RAGIN' RAVEN

FRANCISCAN VINEYARDS, INC. (DELAWARE
CORPORATION)

1178 GALLERON ROAD

ST. HELENA, CA 94574

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

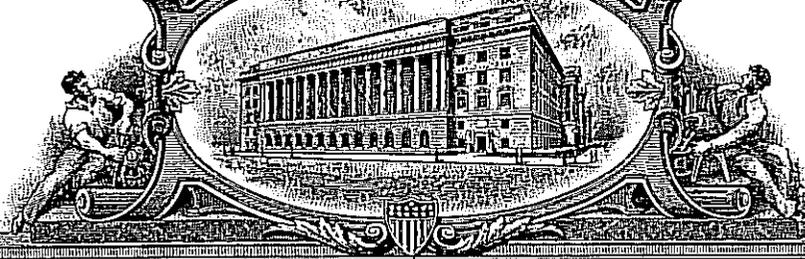
FIRST USE 2-0-2006; IN COMMERCE 2-0-2006.

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

OWNER OF U.S. REG. NO. 2,888,963.

SN 78-739,361, FILED 10-24-2005.

SHARON MEIER, EXAMINING ATTORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:
UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

May 06, 2009

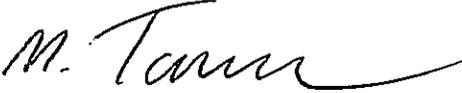
THE ATTACHED U.S. TRADEMARK REGISTRATION 3,457,923 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 01, 2008*

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


M. TARVER
Certifying Officer



Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,457,923

Registered July 1, 2008

TRADEMARK
PRINCIPAL REGISTER

RAVENS WOOD

FRANCISCAN VINEYARDS, INC. (DELAWARE
CORPORATION)
1178 GALLERON ROAD
ST. HELENA, CA 94574

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

FOR: BARBEQUE SAUCE; PICANTE SAUCE;
READY-MADE SAUCES; SAUCES; SAUCES FOR
BARBECUED MEAT, IN CLASS 30 (U.S. CL. 46).

SER. NO. 77-356,861, FILED 12-20-2007.

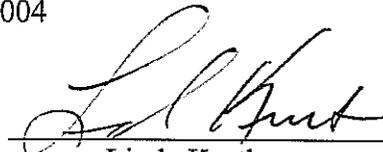
FIRST USE 8-0-2004; IN COMMERCE 8-0-2004.

MICHAEL KAZAZIAN, EXAMINING ATTORNEY

CERTIFICATE OF SERVICE

I hereby certify a copy of OPPOSER'S FIRST NOTICE OF RELIANCE in re: Franciscan Vineyards, Inc. v. Beauxkat Enterprises, LLC., Opp. No. 91181755 was served on counsel for Applicant, this 1st day of June, 2009 by sending same via First Class Mail, postage prepaid, to:

Justin D. Park
Romero Park & Wiggins P.S.
155-108th Avenue NE, Suite 202
Bellevue, WA 98004



Linda Kurth