

ESTTA Tracking number: **ESTTA333068**

Filing date: **02/19/2010**

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

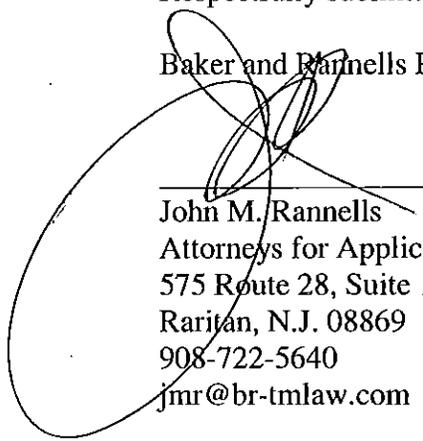
Proceeding	91191056
Party	Defendant Franciscan Vineyards, Inc.
Correspondence Address	Stephen L. Baker BAKER & RANNELLS, PA 575 ROUTE 28 STE 102 RARITAN, NJ 08869-1354 UNITED STATES officeactions@br-tmlaw.com
Submission	Other Motions/Papers
Filer's Name	John M. Rannells
Filer's e-mail	jmr@br-tmlaw.com, k.hnasko@br-tmlaw.com, SchlossD@gtlaw.com
Signature	/john rannells/
Date	02/19/2010
Attachments	91191056 withdwaw.pdf ( 3 pages )(98851 bytes )



This morning, Applicant received "Opposer's Amended and Supplemented Initial Disclosures" making Applicant's motion to dismiss moot at this point. While Applicant continues to believe that the Board misconstrued Applicant's motion to dismiss, Applicant nevertheless now withdraws the motion and motion for reconsideration as a result of Opposer's amended and supplemented disclosures having been received.

Respectfully submitted,

Baker and Rannells PA



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John M. Rannells  
Attorneys for Applicant  
575 Route 28, Suite 102  
Raritan, N.J. 08869  
908-722-5640  
jmr@br-tmlaw.com

**CERTIFICATE OF SERVICE**

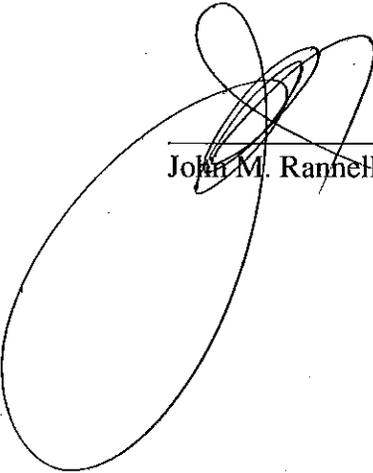
The undersigned hereby certifies that a true and correct copy of the foregoing

**APPLICANT'S WITHDRAWAL OF MOTION FOR RECONSIDERATION  
OF THE BOARD'S DECISION DENYING APPLICANT'S MOTION  
TO DISMISS THE OPPOSITION IN ITS ENTIRETY  
BASED UPON THE OPPOSER'S INITIAL DISCLOSURES**

has been served via first class mail, postage prepaid, this 19th day of February, 2010 upon  
Opposer at the following address of its counsel of record:

Daniel I. Schloss  
Greenberg Traurig, LLP  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166

Dated: February 19, 2010



John M. Rannells