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Filing date: **11/29/2010**

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

Proceeding	91191056
Party	Defendant Franciscan Vineyards, Inc.
Correspondence Address	JOHN M RANNELLS BAKER & RANNELLS, PA 575 ROUTE 28, SUITE 102 RARITAN, NJ 08869-1354 UNITED STATES jmr@br-tmlaw.com
Submission	Stipulated/Consent Motion to Extend
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Signature	/john rannells/
Date	11/29/2010
Attachments	91191056 extend and stip.pdf ( 4 pages )(191670 bytes )

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

-----X  
White Rock Distilleries, Inc.

Opposer

v.

Franciscan Vineyards, Inc.

Applicant  
-----X

Opposition No. 91191056

Mark: PINNACLES RANCHES

Serial No.: 77/598674

**STIPULATED MOTION TO EXTEND AND RESET TRIAL DATES  
AND MOTION REQUESTING BOARD APPROVAL OF STIPULATIONS  
GOVERNING TESTIMONY DEPOSITIONS**

White Rock Distilleries, Inc.'s ("White Rock") 30-day Trial Period is currently set to end on January 1, 2011. In accordance with discussion the parties had during a telephone conference with TTAB Interlocutory Attorney Michael Adlin on November 3, 2010, the parties have now agreed upon a schedule for the captioned proceeding as well as Opposition No. 91185984 between the parties hereto. The new schedule would permit the parties to take testimony depositions of certain witnesses, with such witnesses' testimony to be used in both opposition proceedings in an effort to obviate the need for multiple testimony depositions of the same witnesses in California to elicit some of the same facts repeatedly. The parties reserve the right to take rebuttal testimony wherever necessary during their respective rebuttal periods. The parties hereby move that Trial dates be extended and reset as follows:

White Rock's testimony period to open	Jan. 3, 2011
White Rock's testimony period to close	Feb. 2, 2011
Franciscan's testimony period to open	Feb. 3, 2011

Franciscan's Pretrial Disclosures due	Feb. 17, 2011
Franciscan's testimony period to close	March 4, 2011
White Rock's Rebuttal Disclosures due	March 19, 2011
White Rock's 15-Day Rebuttal Period to open	April 3, 2011
White Rock's 15-Day Rebuttal Period to close	April 18, 2011

The parties further move the Board to approve the following stipulations concerning the testimony depositions of certain witnesses:

1. That White Rock's testimony deposition of Paul Reidl, shall be taken in New York City on January 26, 2011. Mr. Reidl's testimony deposition shall be taken for purposes of both the instant proceeding and Opposition No. 91185984. Mr. Reidl's single testimony deposition transcript may be offered into evidence by White Rock in both the instant proceeding and Opposition No. 91185984. Franciscan reserves the right to challenge Mr. Reidl's expert qualifications and to otherwise object to Mr. Reidl's testimony.

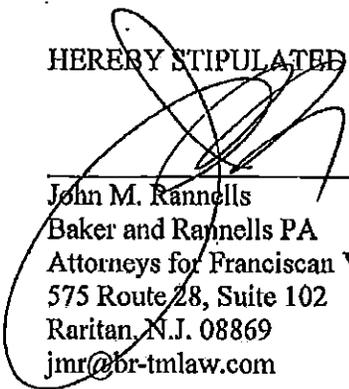
2. That the testimony deposition of third-party witness Riccardo Mora shall be taken by each of White Rock and Franciscan in San Francisco on January 5, 2011 upon notice by subpoena issued by the United States District Court for the Northern District of California. Relevant portions of Mr. Mora's single testimony deposition transcript may be offered into evidence by each party in both the instant proceeding and Opposition No. 91185984, during the respective and relevant testimony and rebuttal periods for each case, with each party reserving the right to object to testimony on the basis of relevancy or materiality, or to object to leading questions, with each of the foregoing types of objections to be made by separate document within 30 days of submission of the portion of the transcripts submitted with each case.

3. That testimony deposition of third-party witness Christine Lilienthal shall be taken by each of Franciscan and White Rock in San Francisco on January 4, 2011 upon notice by subpoena issued by the United States District Court for the Northern District of California. Relevant portions of Ms. Lilienthal's single testimony deposition may be offered into evidence by each party in both the instant proceeding and Opposition No. 91185984, during the respective and relevant testimony and rebuttal periods for each case, with each party reserving the right to object to testimony on the basis of relevancy or materiality, or to object to leading questions, with each of the foregoing types of objections to be made by separate document within 30 days of submission of the portion of the transcripts submitted with each case.

4. That Franciscan's testimony depositions of Oren Lewin and Scott Black in Opposition Number 91185984 may be offered into evidence by Franciscan in the instant proceeding, during the respective and relevant testimony periods for each case. White Rock reserves the right to object to testimony on the basis of relevancy or materiality, or to object to leading questions, with each of the foregoing types of objections to be made by separate document within 30 days of submission of the portion of the transcripts submitted with each case.

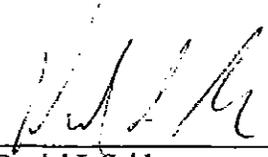
5. The parties agree to use reasonable efforts to submit / designate only those portions of the testimony deposition transcripts in each case that are relevant to the issues in that case.

HEREBY STIPULATED AND AGREED TO



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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of **STIPULATED MOTION TO EXTEND AND RESET TRIAL DATES AND MOTION REQUESTING BOARD APPROVAL OF STIPULATIONS GOVERNING TESTIMONY DEPOSITIONS**, in:

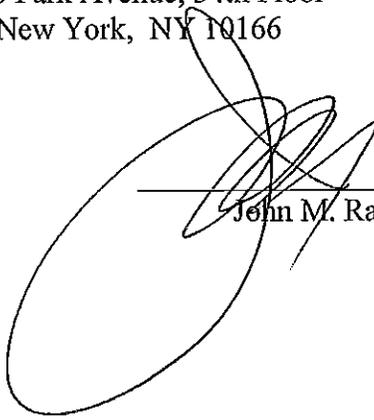
*Franciscan Vineyards, Inc. v. White Rock Distilleries, Inc.*, Opposition No. 91185984

AND

*White Rock Distilleries, Inc.*, Opposition No. 91191056

was forwarded by first class postage prepaid mail by depositing the same with the U.S. Postal Service on this 29th day of November, 2010, to the Attorney for White Rock Distilleries at the following address:

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



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John M. Rannells