

ESTTA Tracking number: **ESTTA396196**

Filing date: **03/03/2011**

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	Defendant's Notice of Reliance
Filer's Name	John M. Rannells
Filer's e-mail	jmr@br-tmlaw.com, k.hnasko@br-tmlaw.com, n.friedman@br-tmlaw.com
Signature	/john rannells/
Date	03/03/2011
Attachments	91191056 notice rely file 056.pdf (61 pages)(5769524 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

APPLICANT'S NOTICE OF RELIANCE
PURSUANT TO 37 CFR §2.122(e)

Please take notice that Applicant, Franciscan Vineyards, Inc. ("Applicant"), 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 a certified copy of the file wrapper for Reg. No. 997,378 for the mark PINNACLES for "wine" owned by Applicant which was prepared and issued by the United States Patent and Trademark Office. A copy of the referenced certified copy of file wrapper for Reg. No. 997,378 is annexed hereto.

The annexed document is relevant to the issue of the distinctiveness of Applicant's PINNACLES RANCHES mark and to said mark's function as a trademark. It is also relevant to the testimony of Paul Reidl, filed on behalf of Opposer in this proceeding - The Opposer is relying upon the testimony of Paul W. Reidl as expert testimony. Applicant disputes that Mr. Reidl qualifies as an expert, disputes his alleged expertise in certain areas, disputes that the questions and types of questions asked of Mr. Reidl and his testimony responses thereto requires or lends itself to expert testimony or to understanding the evidence or to determining any fact in issue, disputes his methodology, and disputes many of the statements made by and conclusions

reached by Mr. Reidl, including without limitation his statements and conclusions concerning the issues of geographic descriptiveness of Applicant's mark and whether applicant's mark functions as a trademark. The annexed is also relevant to show, in general, the inaccuracy of various statements made by and conclusions reached by the witness.

Respectfully submitted,

~~BAKER and RANNELLS PA~~



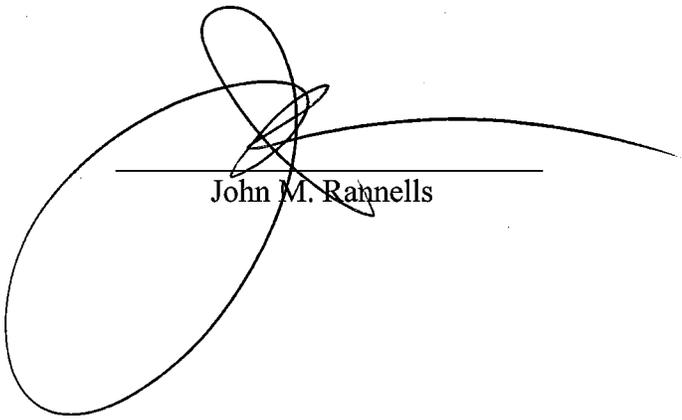
John M. Rannells
Attorney for Applicant
575 Route 28, Suite 102
Raritan, New Jersey 08869
(908) 722-5640
jmr@br-tmlaw.com

CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing APPLICANT'S NOTICE OF RELIANCE PURSUANT TO 37 CFR §2.122(e) in re: *White Rock Distilleries, Inc. V. Franciscan Vineyards, Inc.*, Opposition No. 91191056 was served on counsel for Applicant, this 3rd day of March, 2011 by sending same via First Class Mail, postage prepaid, to:

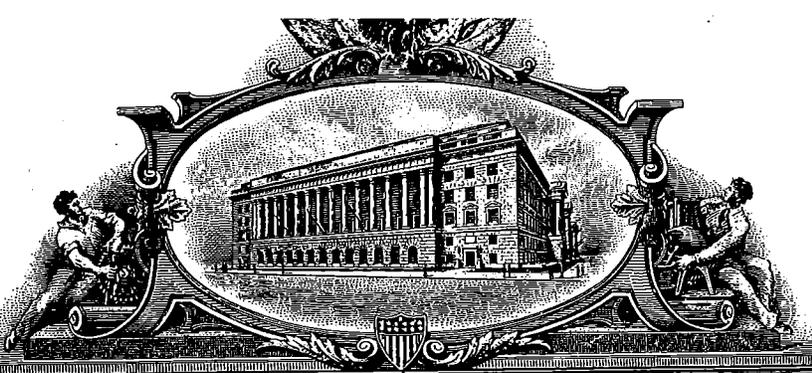
Daniel I. Schloss
Greenberg Traurig, LLP
200 Park Avenue, 34th Floor
New York, NY 10166

DATED: March 3, 2011



John M. Rannells

7275907



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

February 23, 2011

THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE
RECORDS OF THIS OFFICE OF THE TRADEMARK FILE WRAPPER AND
CONTENTS OF:

TRADEMARK APPLICATION: 73/006,890
FILING DATE: *November 20, 1973*
REGISTRATION NUMBER: 997,378
REGISTRATION DATE: *November 05, 1974*

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

T. LAWRENCE
Certifying Officer



RENEWAL

REG. NO. 997378		MARK PINNACLE	SER. NO. 6890
Registered (date) NOV 5 1974		Type of Mark	Examiner 33-STRICKMAN PRINCIPAL REGISTER
Class 33	Filed Complete NOV. 20, 1973	Serial No. 6890	Amended.....
Applicant and Post Office PAUL MASSON, INC., D.B.A. PAUL MASSON VINEYARDS, 13150 SARATOGA AVE. SARATOGA, CALIF. 95070 CALIF. CORP.,			
<input type="checkbox"/> Assignee of <input type="checkbox"/> By change of name from			Parts Filed Application Verification Specimens Drawing Fee \$300.00 Aug. 5, 1994
Mark PINNACLE	Revised U.S. Class 47		L. STRICKMAN SUPERVISORY EXAMINER
[REDACTED]			EXAMINER
Attorney [REDACTED]			Passed for Publication <i>[Signature]</i>
Associated Attorney			Passed for Registration
Other Data AMENDMENT SEC. 7⁴₁₀₀₁			A Sec. 8 F <i>[Signature]</i> I Sec. 15 D A V Sec. 12c I T
Claims Ownership of Registration			Passed for Renewal <i>[Signature]</i>
Goods—Services WINE <i>ok</i>			Renewed From NOV. 5, 1994 NOV. 05, 2001 <i>11/2</i>
First Use MAY 12, 1971			PUBLISHED IN O.G. AUG 13 1974 U. S. PATENT OFFICE
In Commerce MAY 12, 1971			

170-102 (Apr. 1966)

KP 30280 AB

U.S. GOVERNMENT PRINTING OFFICE

NOV 2 1994



Joseph E. Seagram & Sons, Inc.

EXECUTIVE OFFICES
375 PARK AVENUE • NEW YORK, N. Y. 10022

Distillers Since 1857

OFFICE OF THE
GENERAL COUNSEL

November 19, 1973

Re: Application to Register
Trademark PINNACLE

Hon. Commissioner of Patents
Washington, D. C. 20231

Dear Sir:

We enclose herewith the following:

1. Application of Paul Masson, Inc. to register the trademark PINNACLE on the Principal Register;
2. Five specimens of the mark;
3. A drawing of the mark;
4. Paul Masson, Inc. certificate of label approval; and
5. A check in the amount of \$35 to cover the filing fee.

Please acknowledge receipt of the above-listed items by stamping and returning the enclosed self-addressed postcard.

Sincerely yours,
E. Brendel
Ernest R. Brendel

ERB/f
Enc.



6890

APPLICATION FOR TRADEMARK REGISTRATION

MARK: PINNACLE
CLASS NO.: 47

TO THE COMMISSIONER OF PATENTS:

Paul Masson, Inc. d/b/a/ Paul Masson Vineyards is a corporation of the State of California having its principal place of business at 13150 Saratoga Avenue, Saratoga, California 95070.

The above-identified applicant has adopted and is using the trademark shown in the accompanying drawing for

WINE

and requests that said mark be registered in the United States Patent Office on the Principal Register established by the Act of July 5, 1946.

The trademark was first used on May 12, 1971; was first used in interstate commerce on May 12, 1971; and is now in use in such commerce.

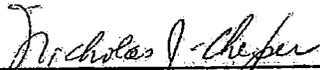
The mark is used by applying it to labels applied to containers and five specimens showing the mark as actually used are presented herewith.

Ernest R. Brendel, Esq. of 375 Park Avenue, New York, New York 10022 is a member of the Bar of the State of New York hereby is appointed to prosecute this application and to transact all business in connection therewith and to receive the Certificate.

12/05/73 PINNACLE 2 201 35.00CK

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

NICHOLAS J. CHEPER, being sworn, states that: He is Vice President of applicant corporation and is authorized to execute this affidavit on behalf of said corporation; he believes said corporation to be the owner of the mark sought to be registered; to the best of his knowledge and belief no other person, firm, corporation, or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as to be likely when applied to the goods of such other person to cause confusion, or to cause mistake, or to deceive; and the facts set forth in this application are true.



NICHOLAS J. CHEPER

Subscribed and sworn to before me
this ^{16th} day of November 1973.



Notary Public

ANNETTE KLING LEVANDE
NOTARY PUBLIC, State of New York
No. 60.7504200
Qualified in Westchester County
Certificate Filed in New York County
Commission Expires March 30, 1974

2001



PROPRIETOR GROWN
CHARDONNAY



Monterey



PINNACLE
LIGHT RED WINE

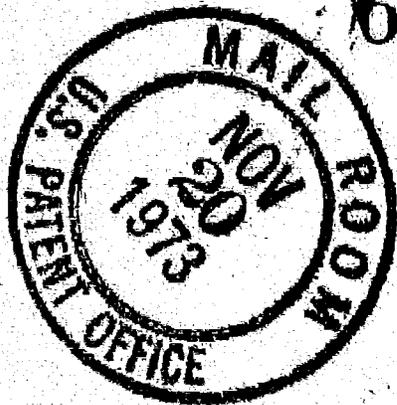
Paul Masson

MADE AND BOTTLED BY
PAUL MASSON VINEYARDS
SARATOGA, CALIFORNIA

CONTENTS 4/5 QT. ALCOHOL 12% BY VOLUME

REG. U.S. PAT. OFF.

6890



6890

INT. CLT 33
SEARCH CLT 47

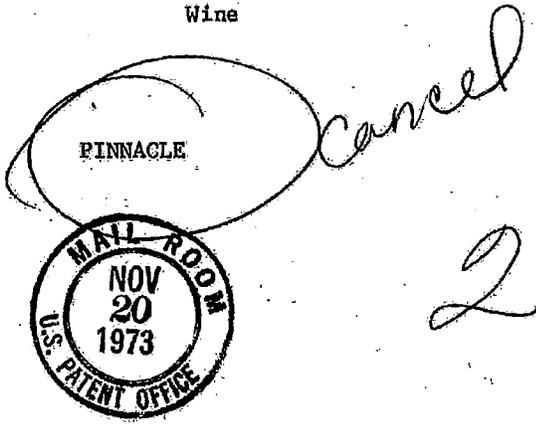
6890

APPLICANT: PAUL MASSON, INC.
13150 Saratoga Avenue
Saratoga, California 95070

FIRST USE: May 12, 1971

IN COMMERCE: May 12, 1971

GOODS: Wine



997378

A 224

REGISTERED

NOV 5 - 1974

U.S. PATENT OFFICE

PUBLISHED IN O.G.
AUG 13 1974
U. S. PATENT OFFICE

Registrant: Franciscan Vineyards, Inc.

Address: 1178 Galleron Road
St. Helena, CA 94574

Goods: wine

Date of First Use: May 12, 1971

Date of First Use
in Interstate
Commerce: May 12, 1971

PINNACLES

337655 v1/SF
78JB011.DOC
010401

3.

application should give the serial number, date of filing, and name of the applicant.



Patent Office

Address Only: COMMISSIONER OF PATENTS
Washington, D.C. 20231

Paper No. 1

Ernest R. Brendel
375 Park Avenue
New York, N.Y. 10022

NOTICE OF PUBLICATION
UNDER SECTION 12(a)

SERIAL NO. 6890	PUBLICATION DATE AUG 13 1974	MAILED JUL 22 1974
APPLICANT Paul Masson, Inc. D.B.A. Paul Masson Vineyards		
MARK PINNACLE		

The mark of the application above identified appears to be entitled to registration. The mark will in accordance with Section 12(a) of the Trademark Act of 1946, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13 of the Statute or by Rules 2.101 and 2.102 of the Trademark Rules, the Commissioner of Patents may issue a Certificate of Registration.

Copies of the Trademark portion of the Official Gazette containing the publication of the mark may be obtained at 40 cents each from the Superintendent of Documents, Government Printing Office.

By direction of the Commissioner.

[C. M. WENDT]

POL-47
(REV. 11/70)

REGISTRATION NO. 997,378

ISSUED
12.C PUB

Nov. 5, 1974

RECEIPT IS HEREBY ACKNOWLEDGED OF THE AFFIDAVIT FILED
BY Paul Masson, Inc.

ON May 5, 1980

SEC. 8 - AFFIDAVIT ACCEPTED
 SEC. 15 - AFFIDAVIT FILED
BY DIRECTION OF THE COMMISSIONER

bw

DIRECTOR, TRADEMARK EXAMINING OPERATION

FORM PTOL-136A
(REV. 8-76)

AFFIDAVIT
ACKNOWLEDGMENT

Arnold Spitz, Legal Dept.
c/o Joseph E. Seagram & Sons, Inc.
800 Third Avenue
New York, N. Y. 10022

U.S. DEPARTMENT OF COMMERCE - PATENT AND TRADEMARK OFFICE

BRIEF OF INTER PARTES CASE

PROCEEDING No: 26,829

SERIAL No. _____ FILED _____

APPLICANT _____

REGISTRATION No. 997,378 DATED 11/5/74

REGISTRANT FRANCISCAN VINEYARDS, INC.

ADVERSE Pacific Pinnacle Investments Ltd.,
Carrying on Business as Pacific Western
Brewing Co.

DECISION

SUPERVISORY EXAMINER _____ DATED _____

TRADEMARK TRIAL AND APPEAL BOARD _____ DATED _____

COURT _____ DATED _____

REMARKS



MARK: PINNACLE #2
REG. NO.: 997,378
INT. CLASS: 33

DECLARATION UNDER SECTION 8

The undersigned, Daniel R. Paladino, declares:
that he is Assistant Secretary of Paul Masson, Inc., a California corporation, of 13150 Saratoga Avenue, Saratoga, California 95070, and that he is authorized to execute this declaration on behalf of said corporation.

The undersigned further declares that he believes said company is the owner of Registration No. 997,378 granted November 5, 1974 as shown by the records of the Patent and Trademark Office; that the mark shown therein is still in use in interstate commerce on or in connection with the goods specified in the registration, that the mark is used by printing it on labels affixed to the goods or containers therefor, and that the attached specimen shows the mark as actually and currently used on or in connection with the goods.

The undersigned further declares that all statements made herein on his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this declaration or the registration referred to herein.

The undersigned hereby withdraws all prior Powers of Attorney, and herewith appoints Arnold Spitz, a member of the Bar of the State of New York, of Joseph E. Seagram & Sons, Inc., Legal Department, 800 Third Avenue, New York, New York 10022, its attorney to represent the undersigned for purposes of filing the declaration, and to transact all business in the Patent & Trademark Office in connection with this registration.

Daniel R. Paladino
Assistant Secretary
Daniel R. Paladino

Dated: May 2, 1980
Attorney's Telephone No.
(212) 572-7385

05/19/80 0997378

1. 213

10.00EK





Joseph E. Seagram & Sons, Inc.

800 THIRD AVENUE • NEW YORK, N.Y. 10022

May 2, 1980

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

RE: Trademark PINNACLE Reg. No. 997,378
Section 8 Declaration

Dear Sir:

Enclosed is a Declaration under Section of the Trademark Act for the captioned registration, executed on May 2, 1980 and due November 5, 1980. Also enclosed is, a specimen of the mark as currently used, and our check in the amount of \$10 to cover the filing fee.

Please acknowledge receipt of these items by stamping and returning the enclosed self-addressed postcard.

Very truly yours,

Arnold Spitz
Associate Counsel

AS/mc
Enc.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231

Signed Patricia A. Mousa Date 3/16/92

336 MAIL ROOM
MAR 1992

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Registration of

4 Registrant: Franciscan Vineyards, Inc.
5 Registration No: 997,378
6 Dated: November 5, 1974
7 Mark: PINNACLE

8 TO THE COMMISSIONER OF PATENTS AND TRADEMARKS
9 Washington, D.C. 20231

10 Dear Sir:

11 **SUBSTITUTION OF COUNSEL**

12 Registrant hereby appoints the law firm of:

13 Owen, Wickersham & Erickson, P.C.
14 455 Market Street, 19th Floor
15 San Francisco, CA 94105

16 Telephone: (415) 882-3200

17 namely, Melville Owen, Lora Thielbar, Gregory N. Owen, Noel M.
18 Cook, Andrew Lurie and Janis J.O. Biksa to transact all busi-
19 ness in the Patent and Trademark Office in connection with this
20 registration and to receive all correspondence in relation
21 thereto.

22 FRANCISCAN VINEYARDS, INC.

23 Dated: 3/12/92

24 By W.O. Cambron
25 Name: William Cambron
26 Title: Vice President/General Manager
27
28

OwEN, WICKERSHAM & ERICKSON
A PROFESSIONAL CORPORATION
455 MARKET STREET, 19TH FLOOR
SAN FRANCISCO, CALIFORNIA 94105
(415) 882-3200

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
APPLICATION FOR RENEWAL OF REGISTRATION OF A MARK

#3
Ren. Det.

RECEIVED
TRADEMARK MAILROOM
AUG 05 1994
US PATENT & TRADEMARK OFFICE

Mark: PINNACLE
Reg. No. 997,378
Int. Cl. 33

TO THE ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS:

Franciscan Vineyards, Inc., a Delaware corporation

Business Address: P.O. Box 407, Rutherford
Napa Valley, CA 94573

The above-identified applicant for renewal requests that the above-identified registration, granted to Franciscan Vineyards, Inc., on November 5, 1974, which applicant for renewal now owns, as shown by records in the Patent and Trademark Office, be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946.

The mark shown in said registration is still in use in interstate commerce on or in connection with each of the following goods/services: WINE, in Class 33, which are recited in the registration, the attached specimen showing the mark as currently used.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or

FR15068 08/29/94 0997378 1 15-0800 150 365 300.00CH

1 imprisonment, or both, under Section 1001 of Title 18 of the
2 United States Code and that such willful false statements may
3 jeopardize the validity of this application, declares that all
4 statements made in this application of his/her knowledge are true
5 and all statements made on information and belief are believed to
6 be true.

7 As authorized in the attached cover letter, please charge
8 the requisite fee to Deposit Account 15-0800.

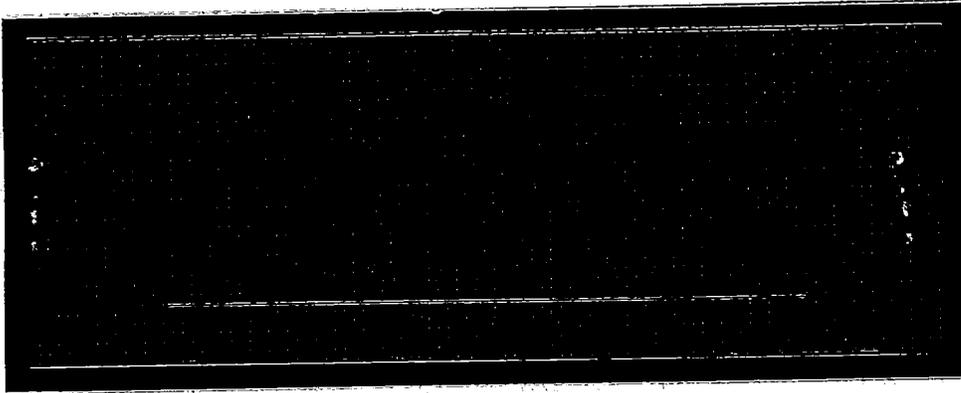
9
10 Franciscan Vineyards, Inc.

11
12 Date: July 27, 1994

13 By William A. Cambron
14 Name: William A. Cambron
15 Title: Vice President

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OWEN, WOODWARD & LOEB, ATTORNEYS AT LAW
455 MARKET STREET, 19TH FLOOR
SAN FRANCISCO, CALIFORNIA 94105
(415) 892-3200



Specimen for Renewal Application

Registrant:	Franciscan Vineyards, Inc.
Trademark:	PINNACLE
Registration No:	997,378
Class No.:	33

RECEIVED
TRADEMARK MAILROOM
AUG 05 1994
US PATENT & TRADEMARK OFFICE

LAW OFFICES

RECEIVED
TRADEMARK MAILROOM

AUG 05 1994

US PATENT & TRADEMARK OFFICE

MELVILLE OWEN

OWEN, WICKERSHAM & ERICKSON

A PROFESSIONAL CORPORATION

TRADEMARK, COPYRIGHT & PATENT LAW

455 MARKET STREET, 19TH FLOOR

SAN FRANCISCO, CALIFORNIA 94105

(415) 882-3200

CD

FACSIMILE

(415) 882-3232

FILE NO: ~~FRAN 00005~~

August 2, 1994

Assistant Commissioner
for Trademarks
ATTN: Renewal Division
2900 Crystal Drive
Arlington, VA 22202-3513

Re: U.S. Trademark Renewal Application
for Franciscan Vineyards, Inc.
TM: PINNACLE, Reg. No. 997,378

Dear Sir:

On behalf of our client, Franciscan Vineyards, Inc., a Delaware corporation, please file the enclosed Application for Renewal for PINNACLE, Registration No. 997,378 in International Class 33.

Also enclosed are the following:

1. One specimen; and
2. Return postcard.

Please charge the renewal fee of \$300.00 to our Deposit Account No. 15-800 and reference our file number FRAN 00005.

Very cordially,

OWEN, WICKERSHAM & ERICKSON, P.C.

By

Melville Owen

AT

MO:pm
Enclosures

INSTRUCTIONS: If the information in the database does not match the information in the file, the reviewer should check the ERROR column. After correction (text editing), the EDITED column should be checked. RETAIN IN FILE

AM Error Edit Error found during review requiring amendment of:

AM | Mark: Word _____ Drawing Code _____ New Drawing: Yes _____ No _____

AM | Mark Type: _____

AM | Register: _____

AM | Amended Register: _____ Date Register Amended: _____

CL | Prime Classification: _____

CL | Class Status Active _____ Inactive _____ Class Status Date _____

CL | International Class: Add _____ Delete _____ Reclassify _____

CL | U.S. Class: Add _____ Delete _____ Reclassify _____

GS | Goods and Services: _____

DL | Deleted Goods () _____ Less Goods (()) _____

✓
✓
✓

AT | Attorney Name: _____

CD | Correspondence: Name _____ St. Address _____ City/St./Cntry _____ Zip _____

DR | Domestic Representative: _____

AO | Amended/Registration Statement: _____

BO | Certification of Correction Statement: _____

PY30: Registrant _____ Name _____

PY _____ Entity Type _____

PY _____ Citizenship/State of Inc. _____

PY: Address _____ Inter _____ City _____ State/Co _____ Zip _____

EN | Entity Statement: _____

CO | Composed of Statement: _____

DB | Doing Business As (DBA) or (AKA) or (TA) Statement: _____

NC30

✓
✓
✓
✓

PY41 Registrant _____ Name _____

PY _____ Entity Type _____

PY _____ Citizenship/State of Inc. _____

PY: Address _____ Inter _____ City _____ State/Co _____ Zip _____

EN

CO

DB

NC *by assign*

99 *by merger and assign*

8 10/13/14

AM and EDITED columns must be checked in accordance with the above instructions and text editing guidelines.



REGISTRATION NO. 0997378

SERIAL NO. 73/006890

PAPER NO.

MAILING DATE: 10/18/94

MARK: PINNACLE

REGISTRANT: FRANCISCAN VINEYARDS, INC.

CORRESPONDENCE ADDRESS:

MELVILLE OWEN
OWEN, WICKERSHAM & ERICKSON
455 MARKET STREET, 19TH FLOOR
SAN FRANCISCO, CA 94105

Please furnish the following
in all correspondence:

1. Your phone number and zip code.
2. Mailing date of this action.
3. Affidavit-Renewal Examiner's name.
4. The address of all correspondence not containing fees should include the words "Box 5".
5. Registration No.

RECEIPT IS ACKNOWLEDGED OF THE SUBMITTED REQUEST UNDER:

SECTION 9 OF THE TRADEMARK ACT AND 37 CFR SECS. 2.181-2.184.

YOUR REQUEST FULFILLS THE STATUTORY REQUIREMENTS AND RENEWAL HAS BEEN GRANTED.

WYE JEAN SMITH
AFFIDAVIT-RENEWAL EXAMINER
TRADEMARK EXAMINING OPERATION
(703) 308-9500 EXT. 38

SENDER: VINTNERS INTERNATIONAL COMPANY, INC.
 ADDRESS: 15TH FLOOR
 320 AVENUE
 NEW YORK, NY 10072
 CITY: CORPORATION CITIZENSHIP: DELAWARE
 REF: RELEASE BY SECURED PARTY OF THE SECURITY
 AGREEMENT RECORDED ON MAY 22, 1987, DOC
 UMENT DOES NOT INDICATE WHEN SECURITY IN
 TEREST WAS RECORDED NOR THE REEL & FRAME

PRESS XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
 A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 10/30/97 14:26
 CATEGORY HERE:

ASSIGNMENT FOR TRADEMARK SERIAL NUMBER: 73/006890 PAGE: 6

FILE: 0787 FRAME: 0722 DATE RECORDED: 05/16/1991
 REGISTRANT: PAUL MASSON, INC.

SIGNOR: VINTNERS INTERNATIONAL COMPANY, INC. DATE SIGNED: 05/03/1991
 ADDRESS: 800 SOUTH ALTA STREET DATE ACKNOWLED: 00/00/0000
 GONZALES, CA 93926
 CITY: CORPORATION CITIZENSHIP: DELAWARE

SIGNED: FRANCISCAN VINEYARDS, INC.
 ADDRESS: 1178 GALLERON ROAD
 ST. HELENA, CA 94574
 CITY: CORPORATION CITIZENSHIP: DELAWARE
 REF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

ASSIGNMENTS RECORDED PRIOR TO 1/1/88 ARE NOT CONTAINED IN THIS DATA BASE.

LAST PAGE**. ENTER 'P' HERE TO PAGE BACKWARDS:
 A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 10/30/97 14:26
 CATEGORY HERE:

SERIAL NUMBER: 73/006890
REGISTRATION NUMBER: 0997379

DATE FILED : 11/20/1973
DATE REGISTERED: 11/05/1974

NUMBER OF PAGES: 007
MARK: PINNACLE
FILE: 0575 FRAME: 0469
RESTAURANT: PAUL MASSON, INC.

DATE RECORDED : 05/20/1987

SIGNOR: GOLD SEAL VINEYARDS, INC.
ADDRESS :
CITY : UNKNOWN CITIZENSHIP:

DATE SIGNED : 05/19/1987
DATE ACKNOWLED: 00/00/0000

SIGNOR: GENERAL BEVERAGE COMPANY
ADDRESS :
CITY : UNKNOWN CITIZENSHIP:

DATE SIGNED : 00/00/0000
DATE ACKNOWLED: 00/00/0000

SIGNOR: PAUL MASSON, INC.
ADDRESS :
CITY : UNKNOWN CITIZENSHIP:

DATE SIGNED : 00/00/0000
DATE ACKNOWLED: 00/00/0000

PRESS XMIT LINE TO CONTINUE.

FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH

10/30/97 14:24

CATEGORY HERE:

SIGNEE: VINTNERS INTERNATIONAL COMPANY, INC.
ADDRESS :
CITY : UNKNOWN CITIZENSHIP:
TYPE: MERGER
STATE: IN DELAWARE

ON 05/19/1987

PRESS XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:

FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH

10/30/97 14:24

CATEGORY HERE:

REEL: 0575 FRAME: 0558
ASSIGNOR: PAUL MASSON, INC.

DATE RECORDED : 05/22/1987

SIGNOR: VINTNERS INTERNATIONAL COMPANY, INC.
ADDRESS: 800 THIRD AVENUE
NEW YORK, NY 10022
CITY : CORPORATION CITIZENSHIP: DELAWARE

DATE SIGNED : 05/22/1987
DATE ACKNOWLED: 00/00/0000

SIGNEE: CITIBANK, N.A.
ADDRESS: 641 LEXINGTON AVENUE
NEW YORK, NY 10043
CITY : A NATIONAL BANKING ASSOCIATION
CITIZENSHIP:
REF: SECURITY INTEREST

PLEASE XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH
CATEGORY HERE:

10/30/97 14:25

REEL: 0647 FRAME: 0378
ASSIGNOR: PAUL MASSON, INC.

DATE RECORDED : 04/17/1989

SIGNOR: CITIBANK, N.A.
ADDRESS: 399 PARK AVENUE
NEW YORK, NY 10043
CITY : A NATIONAL BANKING ASSOCIATION
CITIZENSHIP:

DATE SIGNED : 12/13/1988
DATE ACKNOWLED: 00/00/0000

SIGNEE: VINTNERS INTERNATIONAL COMPANY, INC.
ADDRESS: 15TH FLOOR
320 AVENUE
NEW YORK, NY 10022

CITY : CORPORATION CITIZENSHIP: DELAWARE
REF: RELEASE BY SECURED PARTY OF THE SECURITY
AGREEMENT RECORDED ON MAY 22, 1987. DOC
UMENT DOES NOT INDICATE WHEN SECURITY IN
TEREST WAS RECORDED NOR THE REEL & FRAME

PLEASE XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH
CATEGORY HERE:

10/30/97 14:25

REEL: 0787 FRAME: 0722
REGISTRANT: PAUL MASSON, INC.

DATE RECORDED : 05/16/1991

ASSIGNOR: VINTNERS INTERNATIONAL COMPANY, INC.
ADDRESS : 800 SOUTH ALTA STREET
GONZALES, CA 93926

DATE SIGNED :05/03/1991
DATE ACKNOWLD:00/00/0000

ENTITY : CORPORATION CITIZENSHIP: DELAWARE

ASSIGNEE: FRANCISCAN VINEYARDS, INC. (41)
ADDRESS : 1178 GALLERON ROAD
ST. HELENA, CA 94574

ENTITY : CORPORATION CITIZENSHIP: DELAWARE
BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

ASSIGNMENTS RECORDED PRIOR TO 1/1/55 ARE NOT CONTAINED IN THIS DATA BASE.

LAST PAGE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH
STRATEGY HERE:

10/12/94 14:22

SERIAL NUMBER: 73/006890
REGISTRATION NUMBER: 0997378

DATE FILED : 11/20/1973
DATE REGISTERED: 11/03/1974

NUMBER OF PAGES: 007
MARK: PINNACLE
REEL: 0575 FRAME: 0469
REGISTRANT: PAUL MASSON, INC.

DATE RECORDED : 05/20/1987

ASSIGNOR: GOLD SEAL VINEYARDS, INC.
ADDRESS :
ENTITY : UNKNOWN CITIZENSHIP:

DATE SIGNED :05/19/1987
DATE ACKNOWLD:00/00/0000

ASSIGNOR: GENERAL BEVERAGE COMPANY
ADDRESS :
ENTITY : UNKNOWN CITIZENSHIP:

DATE SIGNED :00/00/0000
DATE ACKNOWLD:00/00/0000

ASSIGNOR: PAUL MASSON, INC.
ADDRESS :
ENTITY : UNKNOWN CITIZENSHIP:

DATE SIGNED :00/00/0000
DATE ACKNOWLD:00/00/0000

PRESS XMIT LINE TO CONTINUE.
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH
STRATEGY HERE:

10/12/94 14:20

ASSIGNEE: VINTNERS INTERNATIONAL COMPANY, INC.
ADDRESS :
ENTITY : UNKNOWN CITIZENSHIP:
BRIEF: MERGEE

40

EFF. IN DELAWARE

ON 05/19/1987

PRESS XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH
STRATEGY HERE:

10/12/94 14:21

AMENDMENT

REGISTERED: NOVEMBER 5, 1974

REGISTRATION NO. 997378

PAUL MASSON, INC.

Application to amend having been made by FRANCISCAN VINEYARDS, INC.
owner of the registration identified above, said registration is hereby
amended as follows:

The drawing is amended to appear as follows:

PINNACLES

Such amendment has been entered upon the records of the Patent and
Trademark Office and the said original registration should be read as so
amended.

Signed and sealed this 27TH day of FEBRUARY 2001.

(SEAL)

Commissioner

ATTEST

ATTESTING OFFICER

Int. Cl.: 33

Prior U.S. Cl.: 47

United States Patent and Trademark Office

Amended

Reg. No. 997,378

Registered Nov. 5, 1974

OG Date Apr. 10, 2001

**TRADEMARK
PRINCIPAL REGISTER**

PINNACLES

FRANCISCAN VINEYARDS, INC. (DELA-
WARE CORPORATION)
P.O. BOX 407
RUTHERFORD NAPA VALLEY, CA
94573, ASSIGNEE OF PAUL MASSON,
INC. (CALIFORNIA CORPORATION),
DBA PAUL MASSON VINEYARDS,
SARATOGA, CA

FOR: WINE, IN CLASS 33 (U.S. CL.
47).

FIRST USE 5-12-1971; IN COMMERCE
5-12-1971.

SER. NO. 73-006,890, FILED 11-20-1973.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Apr. 10, 2001.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

Int. Cl.: 33

Prior U.S. Cl.: 47

Reg. No. 997,378

United States Patent and Trademark Office

Registered Nov. 5, 1974

10 Year Renewal

Renewal Term Begins Nov. 5, 1994

**TRADEMARK
PRINCIPAL REGISTER**

PINNACLE

FRANCISCAN VINEYARDS, INC.
(DELAWARE CORPORATION)
P.O. BOX 407

RUTHERFORD NAPA VALLEY, CA
94573, BY MERGER AND ASSIGN-
MENT FROM PAUL MASSON, INC.
(CALIFORNIA CORPORATION), DBA
PAUL MASSON VINEYARDS, SARA-
TOGA, CA

FOR: WINE, IN CLASS 33 (U.S. CL. 47).
FIRST USE 5-12-1971; IN COMMERCE
5-12-1971;

SER. NO. 73-006,890, FILED 11-20-1973.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Nov. 22, 1994.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid in an envelope addressed to: Assistant Commissioner for Trademarks, Box POST REG - FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

Gay Gallop

(Name)

1.19.01

(Date)

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POST REGISTRATION SECTION

Mark: PINNACLE

Reg. No. 997,378

Issue Date: November 5, 1974

APPLICATION FOR ALTERATION OF REGISTERED MARK UNDER § 7(e)

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Franciscan Vineyards, Inc., a Delaware corporation

Business address: 1178 Galleron Road
St. Helena, California 94574

The above-identified registrant has changed its mark to the altered form shown in the accompanying drawing and requests that this registration be amended in accordance with Section 7(e) of the Act of July 5, 1946.

The mark in its altered form is in use in interstate commerce as of the date of this application.

Three specimens showing said mark are presented herewith in accordance with Rule 2.173, along with the fee of \$100.00 pursuant to Rule 2.6(a)(11).

A certified copy of the original Certificate of Registration is enclosed for endorsement of

89/2001 KGIBBONS 00000014 997378

FC:371 the amendment. 100.00 OP

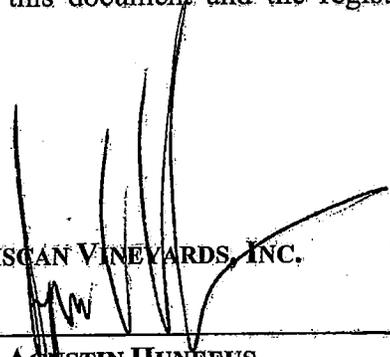
337655 v1/SF
78JB011.DOC
011901

Registrant hereby appoints Kathryn M. Wheble, John W. Crittenden, Janet L. Cullum, Anne H. Peck, Susan D. Berney-Key, Todd S. Bontemps, Michelle Brownlee, Larissa A.J. Keohe, Tsan Merritt-Porée, Eugene M. Pak, Gretchen R. Stroud, and Marianne T. Wolf, Cooley Godward LLP, One Maritime Plaza, 20th Floor, San Francisco, A 94111-3580, Attorneys at Law, to file this application for amendment and to transact all business in the Patent and Trademark Office in connection therewith.

The undersigned declares that he is authorized to make this declaration on behalf of said corporation; that all statements made herein are true and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document and the registration to which it relates.

Dated: January 16, 2001

FRANCISCAN VINEYARDS, INC.

By: 

Name: AGUSTIN HUNEEUS

Title: President

Cooley Godward LLP

ATTORNEYS AT LAW

One Maritime Plaza
20th Floor
San Francisco, CA
94111-3580
Main 415 693-2000
Fax 415 951-3699

Broomfield, CO
720 566-4000
Denver, CO
303 606-4800
Kirkland, WA
425 893-7700
Menlo Park, CA
650 843-5100
Palo Alto, CA
650 843-5000
Reston, VA
703 262-8000
San Diego, CA
858 550-6000

January 19, 2001

www.cooley.com

Assistant Commissioner for Trademarks
Box POST REG FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

KATHRYN M. WHEBLE
415 693-2032
kwheble@cooley.com



01-22-2001

U.S. Patent & TMO/TM Mail RptDt. #71

**Re: Application for Alteration of Registered Mark Under § 7(3)
Our File: Franciscan Vineyards, Inc./PINNACLE/U.S., Class 33**

Dear Assistant Commissioner:

Enclosed herewith for filing, please find an Application for Alteration of Registered Mark Under § 7(3) identified as follows:

Applicant:	Franciscan Vineyards, Inc.
Mark:	PINNACLE
Int. Class:	33
Reg. No.:	997,378

Also enclosed is a check in the amount of \$100.00 which represents payment of the filing fee associated with filing this application. Please charge any deficiency or credit any overpayment of this fee to Deposit Account No. 03-3118. A duplicate copy of this letter as authorization is attached hereto for your convenience.

Very truly yours

COOLEY GODWARD LLP

Kathryn M. Wheble

KMW:mal

Enclosures

cc: Mr. Agustin Huneeus
John W. Crittenden, Esq.

604392 v1/SF
CYC_011.DOC

Cooley Godward LLP

ATTORNEYS AT LAW

One Maritime Plaza
20th Floor
San Francisco, CA
94111-3580
Main 415 693-2000
Fax 415 951-3699

Broomfield, CO
720 566-4000
Denver, CO
303 606-4800
Kirkland, WA
425 893-7700
Menlo Park, CA
650 843-5100
Palo Alto, CA
650 843-5000
Reston, VA
703 262-8000
San Diego, CA
858 550-6000

www.cooley.com

KATHRYN M. WHEBLE
415 693-2032
kwheble@cooley.com



01-22-2001

U.S. Patent & TMO/TM Mail Rcpt Dt: #71

January 19, 2001

Assistant Commissioner for Trademarks
Box POST REG FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

**Re: Application for Alteration of Registered Mark Under § 7(3)
Our File: Franciscan Vineyards, Inc./PINNACLE/U.S., Class 33**

Dear Assistant Commissioner:

Enclosed herewith for filing, please find an Application for Alteration of Registered Mark Under § 7(3) identified as follows:

Applicant:	Franciscan Vineyards, Inc.
Mark:	PINNACLE
Int. Class:	33
Reg. No.:	997,378

Also enclosed is a check in the amount of \$100.00 which represents payment of the filing fee associated with filing this application. Please charge any deficiency or credit any overpayment of this fee to Deposit Account No. 03-3118. A duplicate copy of this letter as authorization is attached hereto for your convenience.

Very truly yours

COOLEY GODWARD LLP

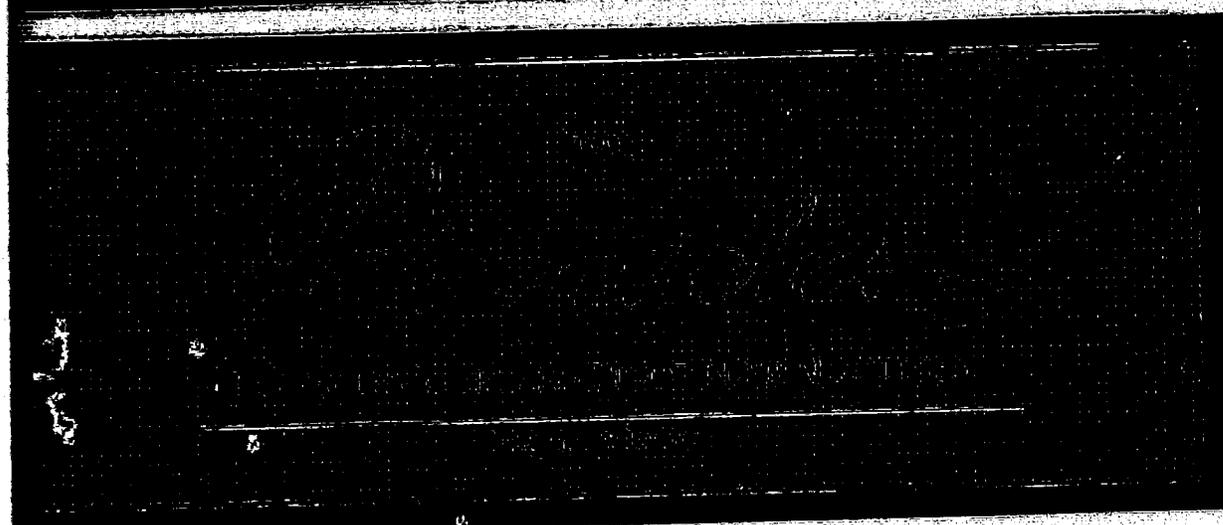
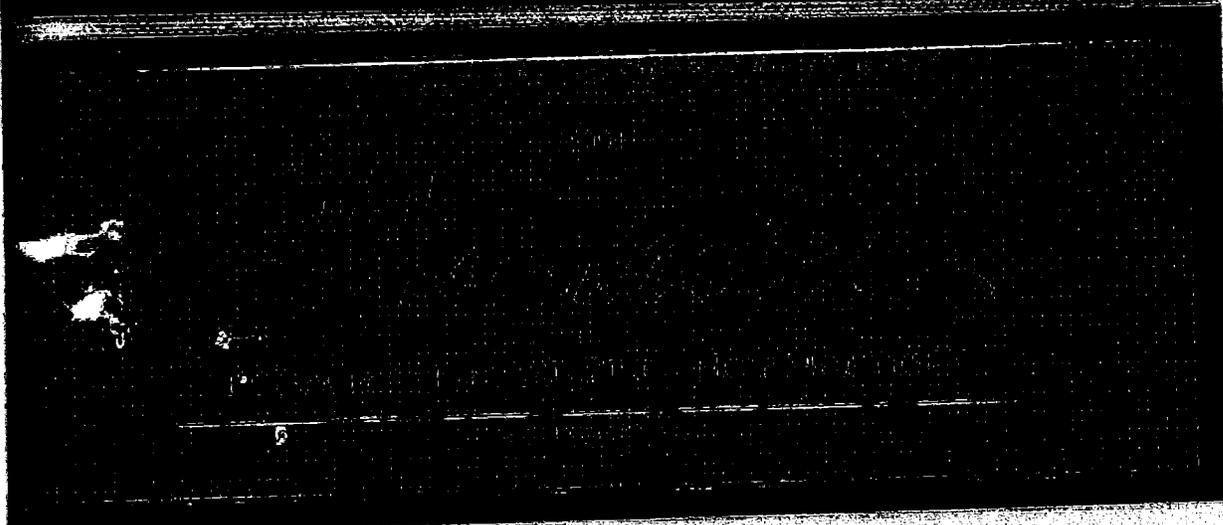
Kathryn M. Wheble

KMW:mal

Enclosures

cc: Mr. Agustin Huneus
John W. Crittenden, Esq.

604392 v1/SF
CYC_01.DOC



Int. Cl.: 33

Prior U.S. Cl.: 47

Reg. No. 997,378

Registered Nov. 5, 1974

United States Patent Office

TRADEMARK
Principal Register

PINNACLE

Paul Masson, Inc. (California corporation), doing business as Paul Masson Vineyards
13150 Saratoga Ave.
Saratoga, Calif. 95070

For: WINE, in CLASS 33 (U.S. Cl. 47).
First use May 12, 1971; in commerce May 12, 1971.

Ser. No. 6,890, filed Nov. 20, 1973.

L. STRICKMAN, Examiner

Int. Cl.: 33

Prior U.S. Cl.: 47

United States Patent Office

Reg. No. 997,378

Registered Nov. 5, 1974

TRADEMARK

Principal Register

PINNACLE

Paul Masson, Inc. (California corporation), doing business as Paul Masson Vineyards
13150 Saratoga Ave.
Saratoga, Calif. 95070.

For: WINE, in CLASS 33 (U.S. CL. 47).
First use May 12, 1971; in commerce May 12, 1971.

Ser. No. 6,890, filed Nov. 20, 1973,

L. STRICKMAN, Examiner

Int. Cl.: 33

Prior U.S. Cl.: 47

United States Patent and Trademark Office

Reg. No. 997,378

Registered Nov. 5, 1974

10 Year Renewal

Renewal Term Begins Nov. 5, 1994

**TRADEMARK
PRINCIPAL REGISTER**

PINNACLE

FRANCISCAN VINEYARDS, INC.
(DELAWARE CORPORATION)

P.O. BOX 407

RUTHERFORD NAPA VALLEY, CA

94573, BY MERGER AND ASSIGN-
MENT FROM PAUL MASSON, INC.
(CALIFORNIA CORPORATION), DBA
PAUL MASSON VINEYARDS, SARA-
TOGA, CA

FOR WINE, IN CLASS 33 (U.S. CL. 47).

FIRST USE 5-12-1971; IN COMMERCE
5-12-1971.

SER. NO. 73-006,890, FILED 11-20-1973.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Nov. 22, 1994.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Combined Declaration of Use In Commerce & Application For Renewal of Registration of A Mark Under Sections 8 & 9

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	0997378
REGISTRATION DATE	11/05/1974
SERIAL NUMBER	73006890
MARK SECTION	
MARK	PINNACLES
OWNER SECTION (current)	
NAME	FRANCISCAN VINEYARDS, INC.
STREET	P.O. BOX 407
CITY	RUTHERFORD NAPA VALLEY
STATE	CA
ZIP/POSTAL CODE	94573
COUNTRY	US
OWNER SECTION (proposed)	
NAME	FRANCISCAN VINEYARDS, INC.
STREET	1178 GALLERON ROAD
CITY	ST. HELENA
STATE	CA
ZIP/POSTAL CODE	94574
COUNTRY	US
ATTORNEY SECTION	
NAME	Stephen L. Baker
FIRM NAME	Baker and Rannells PA

STREET	626 North Thompson Street
CITY	Raritan
STATE	NJ
ZIP/POSTAL CODE	08869
COUNTRY	USA
PHONE	908 722 5640
FAX	908 725 7088
EMAIL	Stephen.Baker4@verizon.net
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
OTHER APPOINTED ATTORNEY(S)	John M. Rannells
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	033
KEEP EXISTING GOODS AND/OR SERVICES	YES
SPECIMEN FILE NAME(S)	6816232242-05114128334-pi mnacles.JPG
SPECIMEN DESCRIPTION	Digital photograph of label for the goods
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	500
TOTAL AMOUNT	500
SIGNATURE SECTION	
SIGNATURE	/Stephen L. Baker/
SIGNATORY NAME	Stephen L. Baker
SIGNATORY DATE	04/05/2004
SIGNATORY POSITON	Lawyer
FILING INFORMATION	
SUBMIT DATE	Mon Apr 05 11:44:46 EDT 2004
TEAS STAMP	USPTO/S08N09-6816232242-2 0040405114446362021-09973 78-200a599d6734920ce489a3 6a78253211-CC-947-2004040

5114222918125

Combined Declaration of Use In Commerce & Application For Renewal of Registration of A Mark Under Sections 8 & 9

To the Commissioner for Trademarks:

04/05/2004 INTERS 00000947 0997378

REGISTRATION NUMBER: 0997378 ✓

01 FC:7205

100.00 OP ✓

REGISTRATION DATE: 11/05/1974 ✓

02 FC:7201

400.00 OP ✓

MARK: PINNACLES ✓

The owner, FRANCISCAN VINEYARDS, INC., residing at 1178 GALLERON ROAD, ST. HELENA, CA US 94574, is using the mark in commerce on or in connection with the goods and /or services as follows:

For International Class 033, the owner is using or is using through a related company or licensee the mark in commerce on or in connection with all goods and/or services listed in the existing registration.

The owner is submitting one specimen for each class showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Digital photograph of label for the goods.

Specimen-1

The registrant hereby appoints Stephen L. Baker and John M. Rannells of Baker and Rannells PA, 626 North Thompson Street, Raritan, NJ USA 08869 to submit this application on behalf of the registrant.

A fee payment in the amount of \$500 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

Declaration

Section 8: Declaration of Use in Commerce

The owner is using or is using through a related company or licensee the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

Section 9: Application for Renewal

The registrant requests that the registration be renewed for the goods and/or services identified above.

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

✓
Signature: /Stephen L. Baker/ Date: 04/05/2004
Signatory's Name: Stephen L. Baker
Signatory's Position: Lawyer

Mailing Address:

Baker and Rannells PA
626 North Thompson Street
Raritan, NJ 08869

RAM Sale Number: 947
RAM Accounting Date: 04/05/2004

Serial Number: 73006890
Internet Transmission Date: Mon Apr 05 11:44:46 EDT 2004
TEAS Stamp: USPTO/S08N09-6816232242-2004040511444636
2021-0997378-200a599d6734920ce489a36a782
53211-CC-947-20040405114222918125

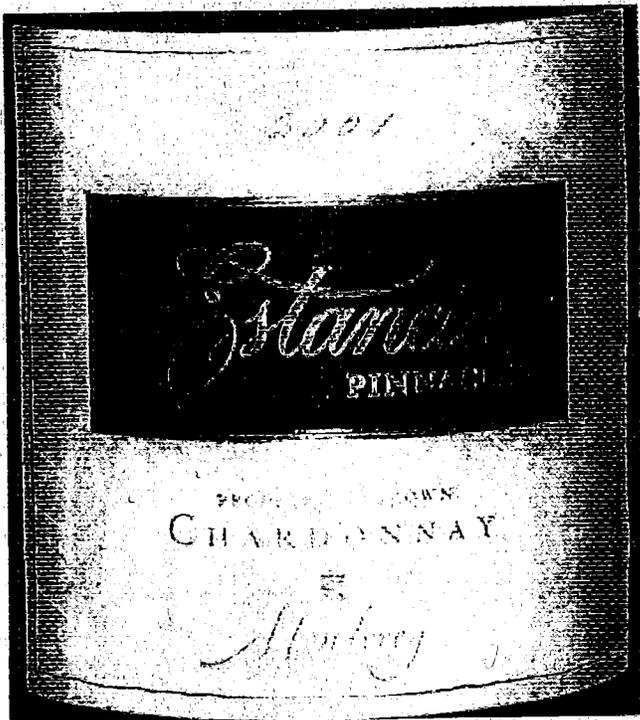
SPECIMEN

Internet Transmission Date:
04/05/2004

International Class:
033

Registration Number:
0997378

Serial Number:
73006890



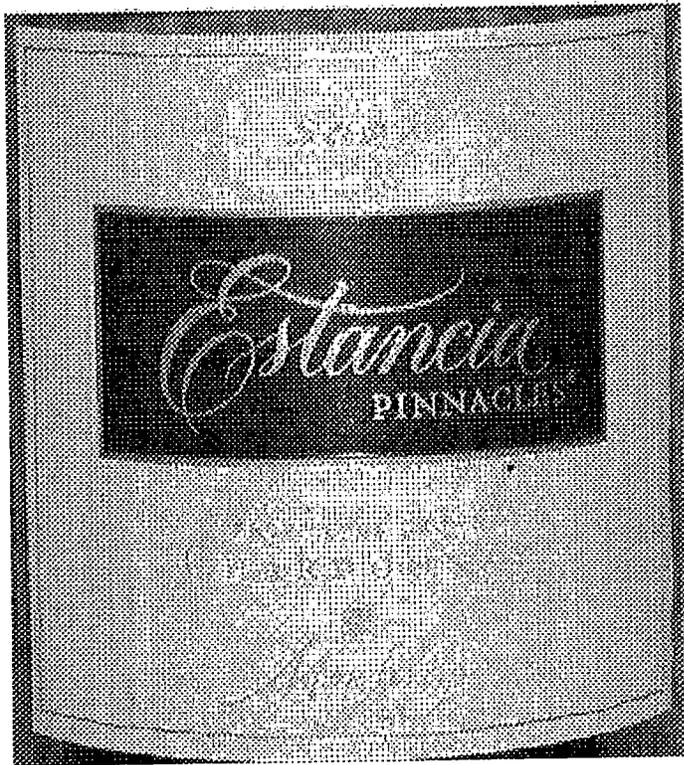
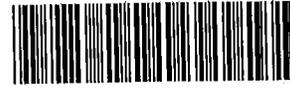
SPECIMEN

Internet Transmission Date:
04/05/2004

International Class:
033

Registration Number:
0997378

Serial Number:
73006890



FEE RECORD SHEET

Registration Number: 0997378

Serial Number: 73006890



RAM Sale Number: 947

Total Fees: \$500

RAM Accounting Date: 20040405

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
§8 affidavit	7205	04/05/2004	\$100	1	\$100
Application for Renewal (§9)	7201	04/05/2004	\$400	1	\$400

Trademark Assignment Abstract of Title

Total Assignments: 4

Serial #: 73006890

Filing Dt: 11/20/1973

Reg #: 0997378

Reg. Dt: 11/05/1974

Registrant: PAUL MASSON, INC.

Mark: PINNACLES

Assignment: 1

Reel/Frame: 0575/0469 **Received:** **Recorded:** 05/20/1987

Mailed: NONE **Pages:** 7

Conveyance: MERGER

Assignors: GOLD SEAL VINEYARDS, INC.

Exec Dt: 05/19/1987

Entity Type: UNKNOWN

Citizenship: NONE

Exec Dt: 00/00/0000

Entity Type: UNKNOWN

Citizenship: NONE

Exec Dt: 00/00/0000

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: UNKNOWN

Citizenship: NONE

GENERAL BEVERAGE COMPANY

PAUL MASSON, INC.

Assignee: VINTNERS INTERNATIONAL COMPANY, INC.

Correspondent: PENNIE & EDMONDS

1155 AVENUE OF THE AMERICAS

NEW YORK, NY 10036

Assignment: 2

Reel/Frame: 0575/0558 **Received:** **Recorded:** 05/22/1987

Mailed: NONE **Pages:** 66

Conveyance: SECURITY INTEREST

Assignor: VINTNERS INTERNATIONAL COMPANY, INC.

Exec Dt: 05/22/1987

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: A NATIONAL
BANKING
ASSOCIATION

Citizenship: NONE

Assignee: CITIBANK, N.A.

641 LEXINGTON AVENUE

NEW YORK, NEW YORK 10043

Correspondent: PENNIE & EDMONDS

1155 AVENUE OF THE AMERICAS

NEW YORK, NY 10036

Assignment: 3

Reel/Frame: 0647/0378 **Received:** **Recorded:** 04/17/1989

Mailed: NONE **Pages:** 0

Conveyance: 1987, DOCUMENT DOES NOT INDICATE WHEN SECURITY INTEREST WAS RECORDED NOR THE REEL & FRAME.

Assignor: CITIBANK, N.A.

Exec Dt: 12/13/1988

Entity Type: A NATIONAL
BANKING
ASSOCIATION

Citizenship: NONE

Assignee: VINTNERS INTERNATIONAL COMPANY, INC.

Entity Type: CORPORATION

<http://uspto-a-ptasx-2.uspto.gov/ahdstaff/q.jsp?db=tm&qt=rno&sid=uspto-a-ptasx-2.uspto.go...> 5/19/04

15TH FLOOR
320 AVENUE
NEW YORK, NEW YORK 10022

Citizenship: DELAWARE

Correspondent: PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-2711

Assignment: 4

Reel/Frame: 0787/0722 / **Received:** **Recorded:** 05/16/1991 **Mailed:** 06/20/1991 **Pages:** 5

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: VINTNERS INTERNATIONAL COMPANY, INC.

Exec Dt: 05/03/1991

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: FRANCISCAN VINEYARDS, INC.
1178 GALLERON ROAD
ST. HELENA, CALIFORNIA 94574

Correspondent: LIMBACH, LIMBACH & SUTTON
2001 FERRY BUILDING
SAN FRANCISCO, CA 94111

Search Results as of: 5/19/2004 9:43:22 A.M.

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 703-308-9723
Web Interface last modified: Oct. 5, 2002



Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514
www.uspto.gov

REGISTRATION NO: 0997378 SERIAL NO: 73/006890 MAILING DATE: 05/25/2004
REGISTRATION DATE: 11/05/1974
MARK: PINNACLES
REGISTRATION OWNER: FRANCISCAN VINEYARDS, INC.

CORRESPONDENCE ADDRESS:

STEPHEN L. BAKER
BAKER AND RANNELLS PA
626 NORTH THOMPSON STREET
RARITAN, NJ 08869

NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(3)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058.

ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.

NOTICE OF RENEWAL

15 U.S.C. Sec. 1059(a)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 9 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1059.

ACCORDINGLY, THE REGISTRATION IS RENEWED.

THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):
033.

MA, MACY L
PARALEGAL SPECIALIST
POST-REGISTRATION DIVISION
(703)308-9500

PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION
ORIGINAL

REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION

I) SECTION 8: AFFIDAVIT OF CONTINUED USE

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

Failure to file the Section 8 Affidavit will result in the cancellation of the registration.

II) SECTION 9: APPLICATION FOR RENEWAL

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration.

Failure to file the Application for Renewal will result in the expiration of the registration.

NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.

Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	73006890
REGISTRATION NUMBER	997378
MARK SECTION	
MARK	PINNACLES
CORRESPONDENCE SECTION (current)	
ORIGINAL ADDRESS	JOHN W. CRITTENDEN COOLEY, GODWARD LLP ONE MARITIME PLAZA SUITE 200 SAN FRANCISCO California 94111-3580 United States
NEW CORRESPONDENCE ADDRESS	
NEW ADDRESS	Stephen L. Baker Suite 102 575 Route 78 Raritan New Jersey United States 08869 (908) 722-5640 (908) 725-7088
SIGNATURE SECTION	
SIGNATURE	/Stephen L. Baker/
SIGNATORY NAME	/Stephen L. Baker/
SIGNATORY DATE	06/04/2007
SIGNATORY POSITION	Owner
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Jun 04 12:53:57 EDT 2007
TEAS STAMP	USPTO/CCA-68.192.151.199- 20070604125357438071-7407 0291-3608b2b9168279f6f1b1 1d1cea0c5e7f2-N/A-N/A-200 70604124544645161

Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	73006890
REGISTRATION NUMBER	997378
MARK SECTION	
MARK	PINNACLES
CORRESPONDENCE SECTION (current)	
ORIGINAL ADDRESS	Stephen L. Baker Suite 102 575 Route 78 Raritan New Jersey 08869 United States (908) 725-7088 (908) 722-5640
NEW CORRESPONDENCE ADDRESS	
NEW ADDRESS	Stephen L. Baker Suite 102 575 Route 28 Raritan New Jersey United States 08869 (908) 722-5640 (908) 725-7088 officeactions@br-tmlaw.com
SIGNATURE SECTION	
SIGNATURE	/Stephen L. Baker/
SIGNATORY NAME	Stephen L. Baker
SIGNATORY DATE	06/22/2007
SIGNATORY POSITION	owner
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Jun 22 12:04:39 EDT 2007
	USPTO/CCA-68.192.151.199- 20070622120439783686-7446

TEAS STAMP

4663-360171efa7a76c3f14ee
eb9e640286ed-N/A-N/A-2007
0622114417765359

APPLICATION FOR AND CERTIFICATION OF LABEL APPROVAL
UNDER FEDERAL ALCOHOL ADMINISTRATION ACT

Part 1. APPLICATION

For IRS Use Only	
UNIVERSAL NUMERIC CODE CLASS AND TYPE	8001
VENDOR	5508
IDENTIFICATION (a) BRAND NAME	PAUL MASSON
(b) CLASS AND TYPE	Light Red Wine - Pinnacle
(c) PLANT REG. NO. OR BASIC PERMIT NO.	CALIF-W-340

2. The following permittee applies for a certificate of label approval for an alcoholic beverage to be introduced into commerce in containers bearing the labels affixed below.

PAUL MASSON, INC.
dba Paul Masson Vineyards
13150 Saratoga Avenue
Saratoga, California 95070

3. STATE ANY WORDING, EXCEPT REQUIRED INDICIA ON CONTAINER, NOT SHOWN ON LABELS, (Caps, celloseals, etc.) IF OPTIONAL SO INDICATE.	NET CONTENTS BLOWN INTO BOTTLE	4. APPLICANT'S SERIAL NO. (If any)	T-21
--	--------------------------------	------------------------------------	------

The applicant hereby declares, under the penalties of perjury, that to the best of his knowledge and belief all statements appearing in this application, including representations on labels and in supplementary documents, are true and correct, and truly and correctly represent the contents of the containers to which such labels will be applied.

5. DATE OF APPLICATION	SIGNATURE OF APPLICANT OR SIGNATURE AND TITLE OF AUTHORIZED AGENT
DEC 11 1968	Morris H. Katz, Assistant Secretary

Part 2. CERTIFICATE OF LABEL APPROVAL

This certificate of label approval is issued subject to the following qualifications and to the conditions on the reverse of this page.

6. DATE ISSUED	DIRECTOR, ALCOHOL AND TOBACCO TAX DIVISION
FEB 12 1970	<i>[Signature]</i>

For Use of Internal Revenue Service Only
QUALIFICATIONS

AFFIX LABELS BELOW



SEE INSTRUCTIONS AND CONDITIONS ON REVERSE

INITIAL EXAMINATION CHECK LIST

E. K. MINNEHAN

REG. #

997378

CORRECT

CHECK MAIL DATE

INCORRECT

CORRECT

CHECK REGISTRATION NUMBER

INCORRECT

CORRECT

CHECK MARK

INCORRECT

CORRECT

CHECK OWNER

INCORRECT

CORRECT

COMMERCE STATEMENT

INCORRECT

CORRECT

CHECK GOODS OR SERVICES

INCORRECT

CORRECT

CHECK DECLARATION

INCORRECT

CORRECT

CHECK SIGNATURE

INCORRECT

CORRECT

CHECK DATE OF EXECUTION

INCORRECT

CORRECT

CHECK FEE

INCORRECT

CORRECT

CHECK SPECIMEN

INCORRECT

CORRECT

CORRESPONDENCE ADDRESS

INCORRECT

CORRECT

REGISTRATION DATE

INCORRECT

PKS
10/17/64



73006890

FILING DATE
11/20/1973

REGISTRATION #
997378

CLASS.
33

CONTENTS:

Application _____ papers. ✓
NOEN

AFFIDAVIT SEC. 8 MAY 5 1980

Resp. Pet. Aug 5, 1994
Can DMV 24, 829 1500/pej
req. for amdt 1/22/01
Section 8 & 9 4-5-04 KL
5/14/00

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