



0011001/01/06

3. Opposer is the owner of United States Principal Register Registration No. 1,758,659 for the mark AUBERGE for wines. Said registration is valid, subsisting and uncanceled and unrevoked and is incontestable.

4. Applicant, on July 19, 2002, filed an application for registration of the mark AUBERGE ROAD VINEYARD for wine. This application was assigned Application Serial No. 76/433,154 and was filed based on Applicant's bona fide intention to use the mark in commerce. The application also includes a disclaimer of the term VINEYARD.

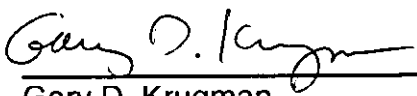
5. Applicant, on July 19, 2002, filed an application for registration of LIEFF AUBERGE ROAD VINEYARD. This application was assigned Application Serial No. 76/433,153 and was filed based on Applicant's bona fide intention to use the mark in commerce. The application includes a disclaimer of VINEYARD.

6. Applicant's marks AUBERGE ROAD VINEYARD and LIEFF AUBERGE ROAD VINEYARD, which are the subject of Application Serial Nos. 76/433,154 and 76/433,153, so resemble Opposer's previously used and registered mark AUBERGE as to be likely, when applied to Applicant's goods, to result in confusion, mistake or deception for purposes of Section 2(d) of the Trademark Act.

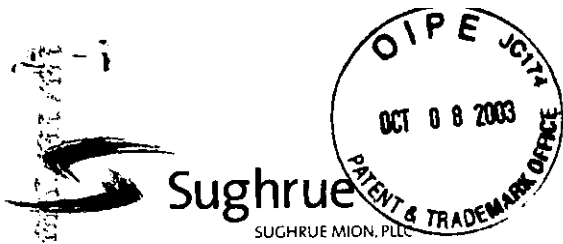
WHEREFORE, Opposer respectfully requests that the opposition be granted and that registration to Applicant be refused in each instance.

Respectfully submitted,

BERINGER BLASS WINE ESTATES  
COMPANY

By:   
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Date: October 8, 2003



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TTAB

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October 8, 2003

**Transmittal Letter  
VIA HAND DELIVERY**

Box TTAB FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

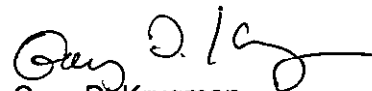
Re: Notice of Opposition to registration of  
AUBERGE ROAD VINEYARD (Serial No. 76/433,154) and  
LIEFF AUBERGE ROAD VINEYARD (Serial No. 76/433,153)  
Beringer Blass Wine Estates Company v. Robert L. Lief  
Our Ref.: 201-047

Dear Sir:

Enclosed herewith in duplicate is a Notice of Opposition against registration of the marks identified above. Please institute the opposition against the above-identified marks and send notice of the institution to the undersigned in due course.

A check in the amount of \$600.00, believed to be the fee in connection with the opposition filed against the above-identified marks, is enclosed herewith. You are authorized to charge any difference or credit any overpayment to the undersigned's Deposit Account No. 19-4880.

Respectfully submitted,

  
Gary D. Krugman

GDK/dh

Enclosures: Notice of Opposition (in duplicate)  
Check in the Amount of \$600.00