

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

FRANCISCAN VINEYARDS, INC.,

Opposition No. 91178682

Opposer,

Mark: DOMAINE PINNACLE

v.

DOMAINE PINNACLE, INC.

Serial No.: 78/783,236

TTAB

Applicant.

MOTION TO WITHDRAW AS COUNSEL

Counsel for Applicant hereby moves to withdraw as counsel for Applicant in the ongoing Opposition Proceeding due to an unavoidable conflict of interest. Franciscan Vineyards, Inc. is owned by a client of counsel for Applicant and therefore it would be a conflict of interest for counsel to continue.

Applicant has been notified of this conflict of interest and requested that Applicant find new counsel. Unfortunately, current counsel has not yet been notified of any new counsel in this case. Applicant will be provided a copy of this Motion and once again asked to find a new attorney to represent it in this matter.

Respectfully submitted,

Date:

April 20, 2009

By:

Thomas W. Brooke

Thomas W. Brooke
Holland & Knight, LLC
2099 Pennsylvania Avenue, N.W.
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Washington, D.C. 20006-6801

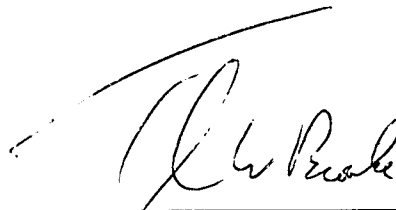


04-20-2009

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of A Motion To Withdraw As Counsel was sent via first class mail to counsel for Opposer at the address listed below on April 20, 2009.

Stephen L. Baker
Linda Kurth
Attorneys for Opposer
575 Route 28, Suite 102
Raritan, New Jersey 08869

A handwritten signature in cursive script, appearing to read 'T. W. Brooke', is written over a horizontal line.

Thomas W. Brooke

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