

ESTTA Tracking number: **ESTTA502390**

Filing date: **10/26/2012**

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

| | |
|------------------------|--|
| Proceeding | 91178682 |
| Party | Plaintiff Franciscan Vineyards, Inc. |
| Correspondence Address | STEPHEN L BAKER BAKER AND RANNELLS PA 575 ROUTE 28, SUITE 102 RARITAN, NJ 08869 UNITED STATES jmr@br-tmlaw.com, officeactions@br-tmlaw.com, k.hnasko@br-tmlaw.com |
| Submission | Plaintiff's Notice of Taking Testimony |
| Filer's Name | John M. Rannells |
| Filer's e-mail | jmr@br-tmlaw.com, k.hnasko@br-tmlaw.com, charles@domainepinnacle.com |
| Signature | /John Rannells/ |
| Date | 10/26/2012 |
| Attachments | Notice of Taking Test Parra 10-26.pdf (2 pages)(16214 bytes) |

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

-----X
Fransican Vineyards, Inc.

Opposer

Mark: DOMAINE PINNACLE and
design

v.

Opposition No. 91178682

Domaine Pinnacle, Inc.

Serial No.: 78783236

Applicant
-----X

**AMENDED NOTICE OF TAKING TESTIMONY
PURSUANT TO 37 CFR SECTION 2.123**

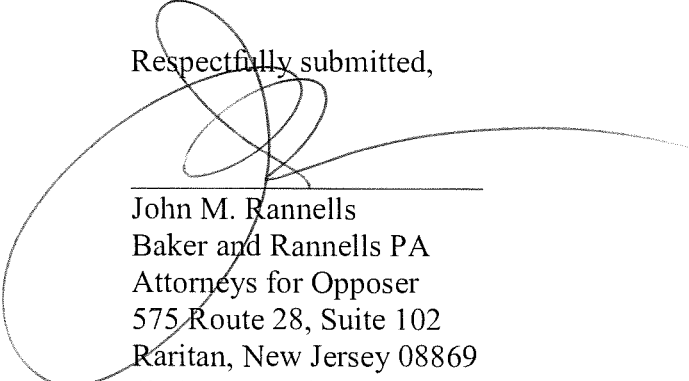
PLEASE TAKE NOTICE that on November 14, 2012, beginning at 10:00 a.m., at the offices of Constellation Brands U.S. Operations, Inc. at 1265 Battery St., San Francisco, CA 94111 (4th Floor), testimony will be taken on behalf of Opposer in the above-captioned opposition proceeding, pursuant to the Rules of Practice in Trademark Cases, before a Notary Public or some other person authorized by law to administer oaths, of the following witness:

Alex Parra
Marketing Manager for Estancia, Mark West, Hogue, and Paso Creek brands,
Constellation Brands, Inc.

The oral examination will continue from day-to-day until completed. You are invited to attend and cross-examine.

Respectfully submitted,

Dated: October 25, 2012



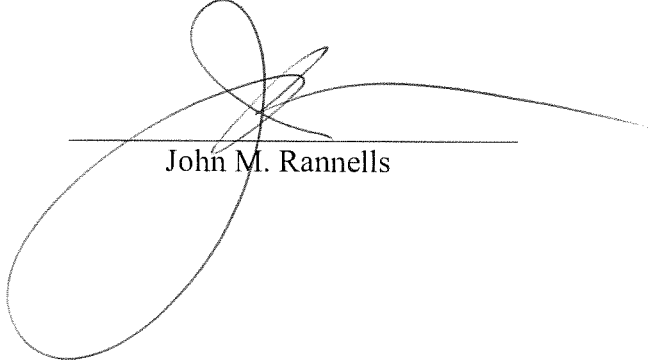
John M. Rannells
Baker and Rannells PA
Attorneys for Opposer
575 Route 28, Suite 102
Raritan, New Jersey 08869
(908) 722-5640
jmr@br-tmlaw.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Amended Notice of Taking Testimony of Alex Parra was served via first class mail, postage prepaid, and via email (i.e., Charles@domainepinnacle.com) this 26th day of October, 2012 upon Applicant at the following address of record:

Charles Crawford
DOMAINES PINNACLE INC
150 RICHFORD ROAD
FRELIGHSBURG, QC J0L 1C0
CANADA

DATED: October 26, 2012



John M. Rannells