

ESTTA Tracking number: **ESTTA510047**

Filing date: **12/10/2012**

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	Testimony For Plaintiff
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Filer's e-mail	officeactions@br-tmlaw.com, jmr@br-tmlaw.com, k.hnasko@br-tmlaw.com
Signature	/John Rannells/
Date	12/10/2012
Attachments	Exs 5-8 to Fonseca Test Transcript.pdf (44 pages)(4512112 bytes)

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

-----X
Franciscan Vineyards, Inc.

Opposer

Mark: DOMAINE PINNACLE and
design

v.

Opposition No. 91178682

Serial No.: 78783236

Domaine Pinnacle, Inc.

Applicant

-----X

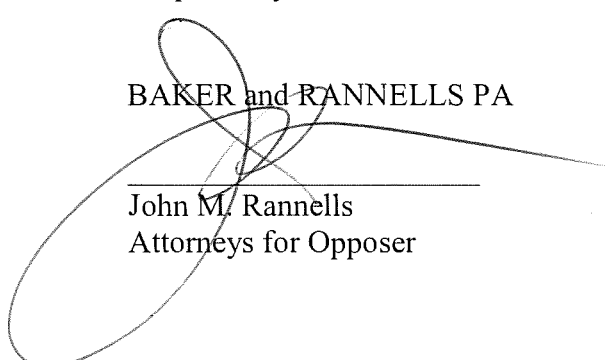
**COMBINED NOTICE OF FILING OF TESTIMONY TRANSCRIPT AND EXHIBITS
and NOTICE OF SERVICE OF TRANSCRIPTS AND EXHIBITS**

Pursuant to 37 CFR 2.122(f) Opposer, Franciscan Vineyards, Inc., hereby files the trial testimony of Juan Fonseca, taken on November 14, 2012 along with the corresponding exhibits 1-8 (all attached hereto).

The undersigned hereby certifies that a copy of this document and the referenced testimony transcript and exhibits was served upon the Applicant this 10th day of December, 2012 via email (Charles@domainepinnacle.com) and via first class mail postage prepaid the following address: Charles Crawford, Domaines Pinnacle, Inc., 150 Richford Road, Frelighsburg, QC J0L 1C0, Canada.

Respectfully submitted,

BAKER and RANNELLS PA



John M. Rannells
Attorneys for Opposer

575 Route 28, Suite 102
Raritan, New Jersey 08869
jmr@br-tmlaw.com / 908-722-5640

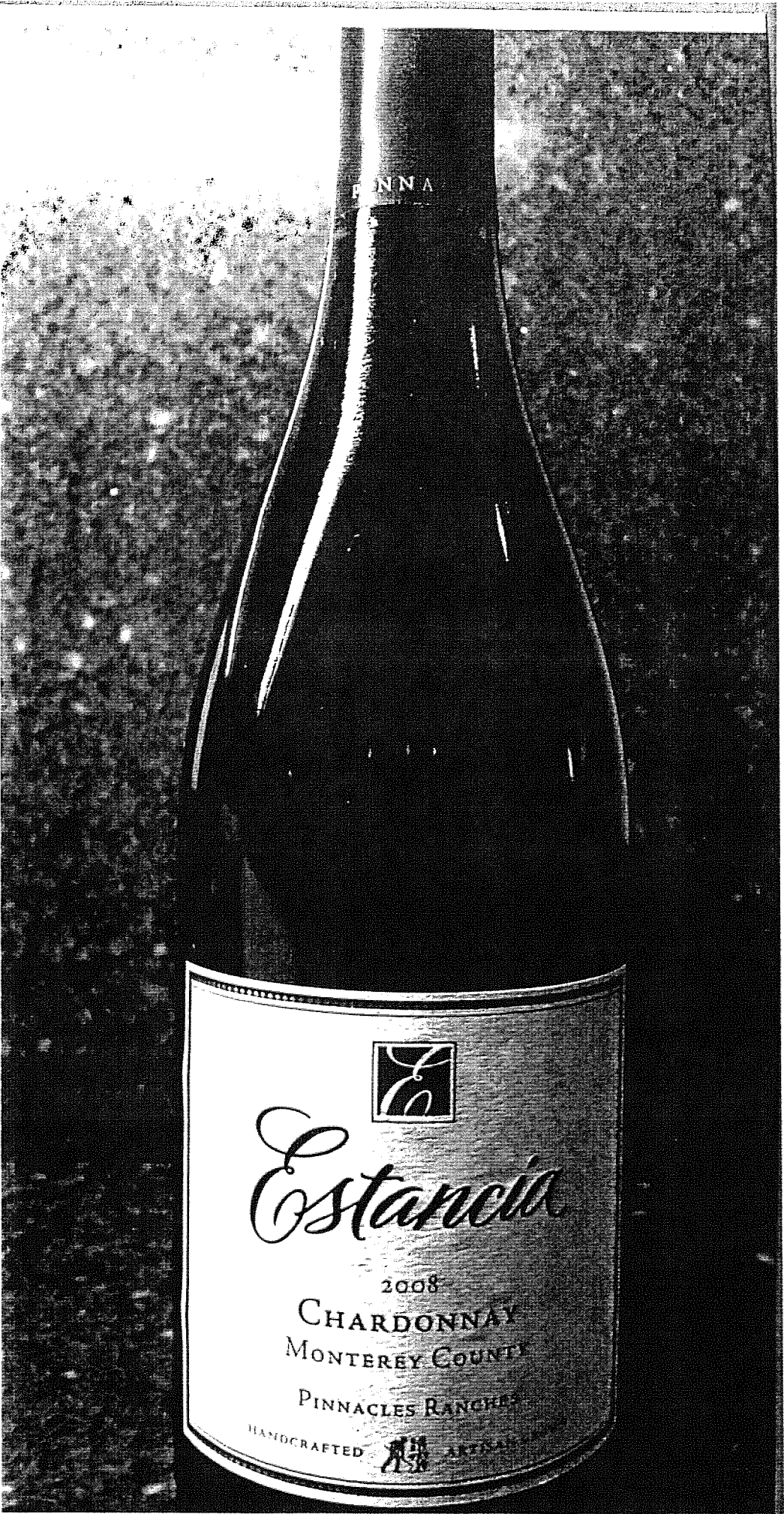


EXHIBIT
for 211a
5
11/14/12

PENGAD 800-631-6989

EXHIBIT
fenseca
11/14/12

Manufacturer's Coupon - Offer Expires 5/31/09 - Do Not Double
Wine Purchase Required

Estancia
PINNACLES

CHARDONNAY

Best Buy!

Wine Spectator
May 2000

Eleven-Time Winner!



SAVE \$2.00 NOW
ON ESTANCIA WINE
DETAILS ON BACK
REDEM AT CHECKOUT

Mail-In Rebate, Offer Expires 2/28/10
ES0291
www.estanciawinery.com

Mail-in Rebate - Expires 3/31/09
ES0365

See back for details.

Estancia

SAVE UP TO \$4
ON ESTANCIA WINE



SAVE UP TO \$12.00
ON ESTANCIA WINES

DETAILS ON BACK

Manufacturer's Coupon. DO NOT DOUBLE. Offer Expires 5/31/09.
© 2009 Estancia Estates, Soledad/Monterey, CA. ES0261DS

SAVE \$2 NOW ON ESTANCIA WINE

CONSUMER: To redeem, present this coupon at checkout to receive a \$2 savings on the purchase of any bottle of Estancia wine. This coupon is not valid for employees, officers, and directors of Estancia and affiliated companies, licensed alcoholic beverage retailers and wholesalers, or other alcoholic beverage licensees, or families and households of the foregoing. Offer valid only for U.S. residents of legal drinking age. Void where prohibited. Not to be doubled. One coupon per purchase. **RETAILER:** This coupon will be redeemed for face value indicated plus \$.08 handling if you receive it on the sale of product indicated and if submitted in compliance with CWUS' Coupon Redemption Policy. Coupon may not be assigned or transferred. Invoicing proving purchase of stock to cover coupons must be submitted upon request. Void where prohibited, taxed, or restricted by law. To redeem, **SEND TO:** CWUS Promotional Services, P.O. Box 880181, El Paso, TX 88508-0181. Coupon expires 05/31/09. Cash value 1/100¢. Coupon must be received within 120 days from the expiration date.



Offer Expires 2/28/10. ES0291
© 2009 Estancia Estates, Soledad/Monterey, CA

© 2009 Estancia Estates, Soledad/Monterey, CA
Wine Purchase Necessary ES0365

Save up to \$4 on Estancia.

BUY: A bottle of Estancia and receive a \$1 rebate check, or buy 2 bottles of Estancia and receive a \$4 rebate check.

SEND: This completed form and original cash register receipt, dated between 3/1/09 and 2/28/10, with the purchase price of Estancia wine circled.

Please check the dollar amount that applies to your rebate: ☐ \$1 ☐ \$4

MAIL TO: Offer # Icon-0016 - Save up to \$4 on Estancia
PO Box 753416
El Paso, TX 88575-3416
MUST BE POST MARKED BY 3/15/10

NAME: _____
ADDRESS: _____ APT# _____
CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: _____ BIRTHDATE: _____

REBATE CONDITIONS:

Offer expires 2/28/10. Offer valid only for U.S. residents of legal drinking age. Rebate requests from groups, clubs, organizations, officers, or employees of Estancia, or alcoholic beverage retailers or wholesalers, will not be honored or returned. Please allow 6-8 weeks for delivery. Limit one rebate per household, name, or address. Keep a copy of your request, including sales receipt, for your records. For more information, call 1-888-221-3320. **WARNING:** Void where prohibited, taxed or otherwise restricted. Reproduction, purchase, sale or trading of this form, UPC symbols, or cash register receipts will not be honored or returned. Fraudulent submission of refund certificate may result in federal prosecution for mail fraud under 18 USC Sections 1341, 1342.

BUY: A bottle of Estancia and receive a \$1 rebate check, or buy 2 bottles of Estancia and receive a \$3 rebate check, or buy 6 bottles of Estancia and receive a \$12 rebate check.

SEND: This completed form and original cash register receipt, dated between 1/1/09 and 3/31/09, with the purchase price of Estancia wine circled.

Please check the dollar amount that applies to your rebate:

☐ \$1 ☐ \$3 ☐ \$12

MAIL TO: Offer: Icon-0029 - Save up to \$12 on Estancia
PO Box 753334
El Paso, TX 88575-3334
MUST BE POST MARKED BY 4/15/09

NAME: _____
ADDRESS: _____ APT# _____
CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: _____ BIRTHDATE: _____

REBATE CONDITIONS:

Offer expires 3/31/09. Offer valid only for U.S. residents of legal drinking age. Rebate requests from groups, clubs, organizations, officers, or employees of Estancia Estates, or alcoholic beverage retailers or wholesalers, will not be honored or returned. Please allow 6-8 weeks for delivery. Limit one rebate per household, name, or address. Keep a copy of your request, including sales receipt, for your records. For more information, call 1-888-221-3320.

WARNING: Void where prohibited, taxed or otherwise restricted. Reproduction, purchase, sale or trading of this form, UPC symbols, or cash register receipts will not be honored or returned. Fraudulent submission of refund certificate may result in federal prosecution for mail fraud under 18 USC Sections 1341, 1342.

www.estanciawinery.com
© 2005 Estancia Estates, Solvang, CA POS Item# 100211

Estancia

UNCORK & UNWIND



PINOT NOIR

*Black cherry, spice and oak.
Ripe tannins, bright acidity and a long finish.*

MAIL IN REBATE OFFER EXPIRES 12/31/2008
OFFER NOT FOR RESALE. SEE BACK FOR DETAILS.



Estancia

UNCORK & UNWIND

**SAVE
\$3.00**
ON ANY
ESTANCIA
WINE

(SEE BACK FOR DETAILS)

www.estanciawinery.com

© 2005 Estancia Estates, Solvang, CA POS Item# 100210



Estancia

UNCORK & UNWIND



CHARDONNAY

*Pear, passion fruit and fig with
hints of hazelnut and vanilla.*

©2008 ESTANCIA WINERY, CA
WWW.ESTANCIAWINERY.COM
ES025525DS

BUY: Any 1 bottle of Estancia wine and receive a \$3.00 refund check.

SEND: This completed form and original cash register receipt(s) dated between
2/29/08 and 12/31/08 with the purchase price(s) circled

MAIL TO: Offer 12569 - Save \$3 on any Estancia wine
P.O. Box 650001
El Paso, TX 88565-0001

MUST BE POSTMARKED BY: 1/15/09

NAME: _____

ADDRESS: _____ APT#: _____
Street Address Must Accompany P.O. Box

CITY: _____ STATE: _____ ZIP: _____

E-MAIL: _____

SIGNATURE: _____ BIRTHDATE: ____/____/____

REFUND CONDITIONS:

Offer expires 12/31/08. Offer valid for U.S. residents of legal drinking age. Refund requests for
groups, clubs, organization or from officers or employees of Estancia Winery, and alcoholic
beverage retailers or wholesalers will not be honored or returned. Please allow 6-8 weeks for
delivery. Refund limited to 6 rebates per address.

WARNING:

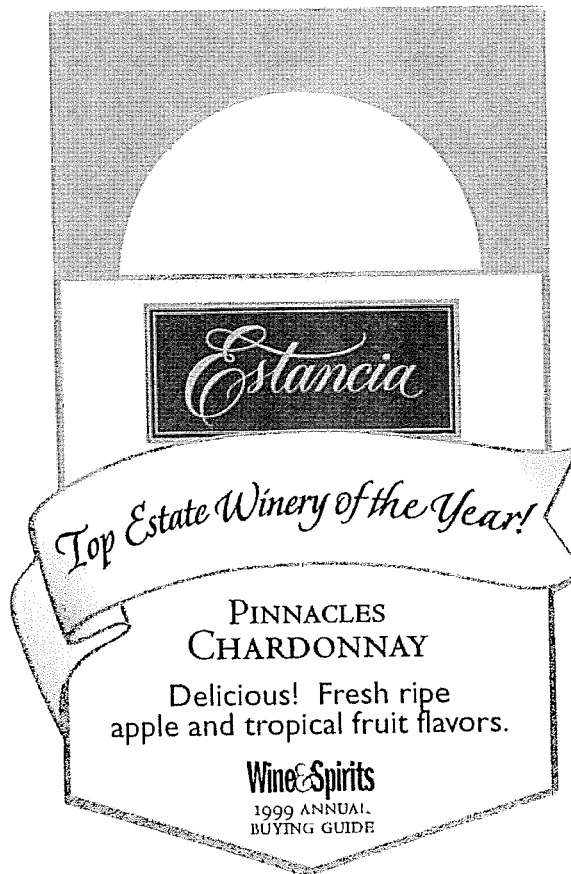
Void where prohibited, taxed or otherwise restricted. Reproduction, purchase, sale or trading of this
form, UPC symbols or cash register receipts will not be honored or returned. Fraudulent
submission of refund certificate may result in federal prosecution for mail fraud under 18 USC
Section 1341, 1342.

Manufacturer's Coupon - Expires 3/31/08 - DO NOT DOUBLE - INSTANT REDEEMABLE COUPON



**SAVE
\$2
INSTANTLY
ON
ESTANCIA
PINOT NOIR
750ML**

MANUFACTURER'S COUPON
NO DOUBLE COUPONING



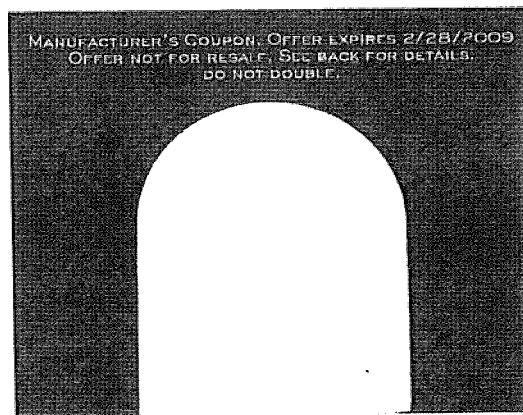
Manufacturer's Coupon. • Offer Expires 2/28/08
DO NOT DOUBLE.
Wine Purchase Required. POS#: E5018825DS

MANUFACTURER'S COUPON. OFFER EXPIRES 2/28/2009
OFFER NOT FOR RESALE. SEE BACK FOR DETAILS.
DO NOT DOUBLE.

Estancia



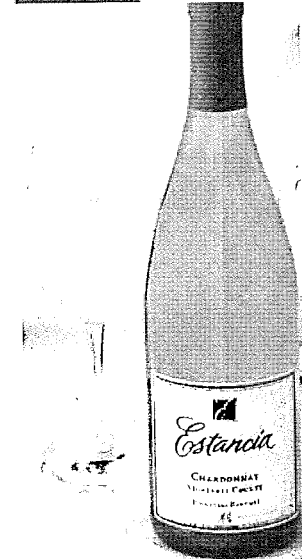
**SAVE \$1.00 NOW
ON ANY ESTANCIA WINE.**



Estancia

**SAVE
\$1.00
NOW
ON
ESTANCIA**

(SEE BACK FOR DETAILS)



© 2008 Estancia Estates, Soledad CA, ESO19225DS Purchase Required.

Save \$2.00 NOW on Estancia Pinot Noir.

Offer Expires 3/31/08 DO NOT DOUBLE.

CONSUMER: To redeem, present this coupon at check out to receive a \$2.00 savings on the purchase of Estancia Pinot Noir, 750ml. This coupon is not valid for employees, officers and directors of Estancia and affiliated companies, licensed alcoholic beverage retailers and wholesalers, or other alcoholic beverage licensees, and families and households of the foregoing, and persons not of legal drinking age are not eligible. Void where prohibited. Not to be doubled. One coupon per purchase.
RETAILER: This coupon will be redeemed for face value indicated plus \$.08 handling if you receive it on the sale of product indicated. Coupon may not be assigned or transferred. Invoice proving purchase of stock to cover coupons must be submitted upon request. Void where prohibited, taxed, or restricted by law. To redeem, SEND TO: CWC Promotional Services, P.O. Box 880181, El Paso, TX 88588-0181. Coupon expires 3/31/08. Cash value 1/100¢. Coupon must be received within 120 days from the expiration date.



Manufacturer's Coupon. • Offer Expires 2/28/08
 DO NOT DOUBLE.
 © Estancia Estates, CA

©2008 ESTANCIA WINERY, CA
 WWW.ESTANCIAWINERY.COM
 ESO19925

Save \$1.00 off on any Estancia wine!

CONSUMER: To redeem, present this coupon at check out to receive a \$1.00 savings on the purchase of any Estancia wine. This coupon is not valid for employees, officers and directors of Estancia and affiliated companies, licensed alcoholic beverage retailers and wholesalers, or other alcoholic beverage licensees, and families and households of the foregoing, and persons not of legal drinking age are not eligible. Void where prohibited. Not to be doubled. One coupon per purchase. **RETAILER:** This coupon will be redeemed for face value indicated plus \$.08 handling if you receive it on the sale of product indicated. Coupon may not be assigned or transferred. Invoice proving purchase of stock to cover coupons must be submitted upon request. Void where prohibited, taxed, or restricted by law. To redeem, SEND TO: CWC Promotional Services, P.O. Box 880181, El Paso, TX 88588-0181. Coupon expires 2/28/08. Cash value 1/100¢. Coupon must be received within 120 days from expiration date.

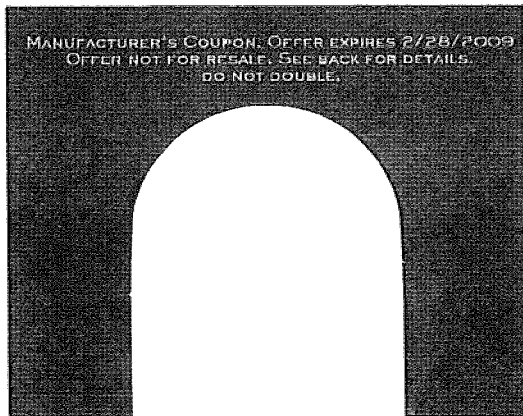
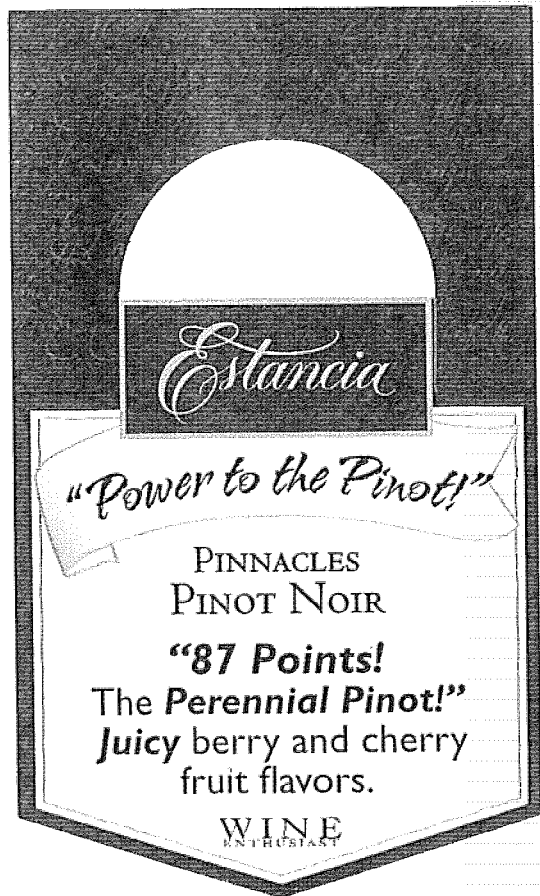
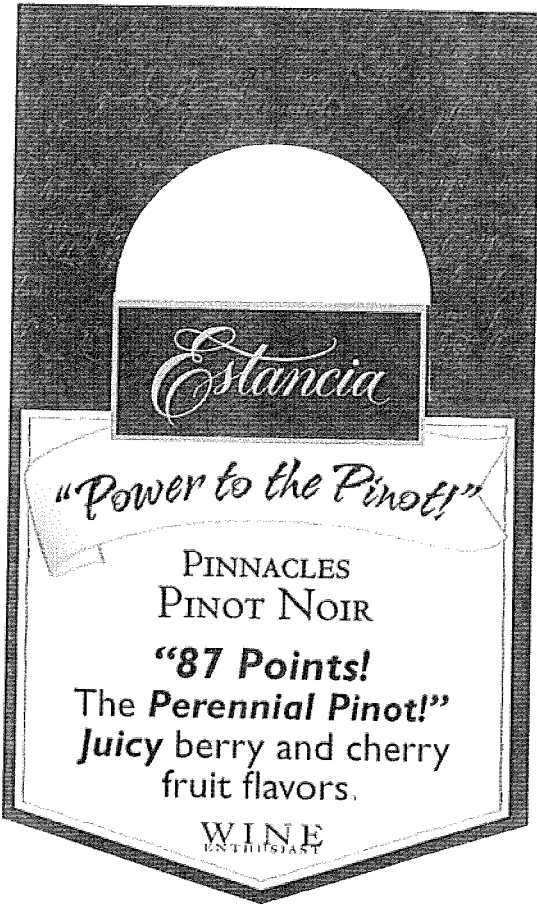


MANUFACTURER'S COUPON.
 OFFER EXPIRES 02/28/09
 DO NOT DOUBLE

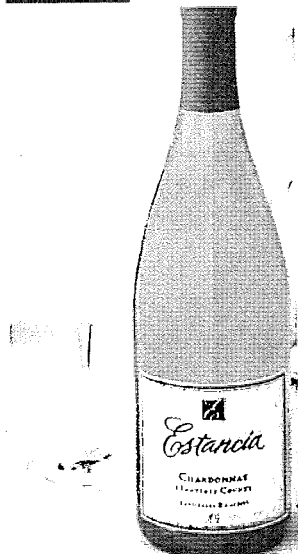
Save \$1.00 on any one Estancia wine

CONSUMER: To redeem, present this coupon at checkout to receive a \$1.00 savings on the purchase of Estancia wine. This coupon is not valid for employees, officers, and directors of Estancia and affiliated companies, licensed alcoholic beverage retailers and wholesalers, or other alcoholic beverages licensees, and families and households of the foregoing and persons not of legal drinking age are not eligible. Void where prohibited. Not to be doubled. One coupon per purchase. **RETAILER:** Coupon will be redeemed for \$1.00 face value plus 8¢ handling if terms of offer have been met. Any other use constitutes fraud. Customer must pay sales tax. Void if prohibited, taxes, or reproduced. Limit one coupon per purchase. Cash value 1/20¢. Mail coupons to: CWC Promotional Services, P.O. Box 880181, El Paso, TX 88588-0181. Coupon expires 02/28/09. Coupon must be received within 120 days from expiration date.





Mail In Rebate • Expires 2/28/09 • Wine purchase required.



Estancia

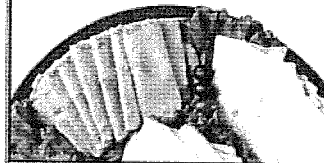
**SAVE
\$1.00
NOW
ON
ESTANCIA**

(SEE BACK FOR DETAILS)



**SAVE
UP TO
\$10**

ON ANY
DELI TRAY
WITH ESTANCIA
SEE BACK FOR DETAILS.



©2008 ESTANCIA WINERY, CA
WWW.ESTANCIAWINERY.COM
ESO18025

© 2008 Estancia Winery Monterey, CA ESO1925

MANUFACTURER'S COUPON.
OFFER EXPIRES 02/28/09
DO NOT DOUBLE

Save \$1.00 on any one Estancia wine

CONSUMER: To redeem, present this coupon at checkout to receive a \$1.00 savings on the purchase of Estancia wine. This coupon is not valid for employees, officers, and directors of Estancia and affiliated companies, licensed alcoholic beverage retailers and wholesalers, or other alcoholic beverages licensees, and families and households of the foregoing and persons not of legal drinking age are not eligible. Void where prohibited. Not to be doubled. One coupon per purchase. RETAILER: Coupon will be redeemed for \$1.00 face value plus 8¢ handling if terms of offer have been met. Any other use constitutes fraud. Customer must pay sales tax. Void if prohibited, taxes, or reproduced. Limit one coupon per purchase. Cash value 1/20¢. Mail coupons to: CWC Promotional Services, P.O. Box 880181, El Paso, TX 88588-0181. Coupon expires 02/28/09. Coupon must be received within 120 days from expiration date.



BUY: any 4 bottles of Estancia and save \$10 (min. \$20 tray).
any 3 bottles of Estancia and save \$3 (min. \$20 tray).
SEND: This completed form and original cashiers receipt
with purchase prices of Estancia and deli tray circled.
MAIL TO: Offer # 12499 - Save up to \$10 on any Deli Tray
PO Box 650001
El Paso, TX 88565-0001
MUST BE POST MARKED BY 3/15/09

NAME: _____
ADDRESS: _____
APT# _____ CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: _____ BIRTHDATE: _____

REFUND CONDITIONS: Offer expires 2/28/09. Offer valid only for U.S. residents of legal drinking age. Refund requests from groups, clubs, organizations, officers, or employees of Estancia, or alcoholic beverage retailers or wholesalers, will not be honored or returned. Please allow 6-8 weeks for delivery. Limit one refund per household, name, or address. For more information, call 1-888-221-3320.
WARNING: Void where prohibited, taxed or otherwise restricted. Reproduction, purchase, sale or trading of this form, UPC symbols, or cash register receipts will not be honored or returned. Fraudulent submission of refund certificate may result in federal prosecution for mail fraud under 18 USC Sections 1341, 1342.

Manufacturer's Coupon - Expires 2/15/08 - Do Not Double - Wine Purchase Required

www.estanciaestates.com

© 2007 Estancia Estates, Sonoma, CA. PGF Item #3358

BUY 2 ESTANCIA WINES AND

SAVE \$5.00 INSTANTLY

ON A \$10 PURCHASE OF BEER, CHIPS OR SODA.

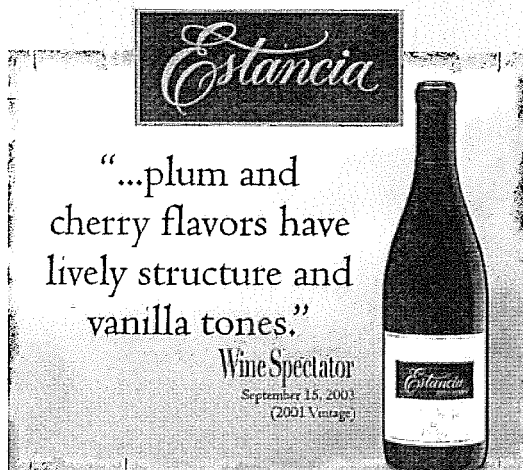
SEE BACK FOR DETAILS



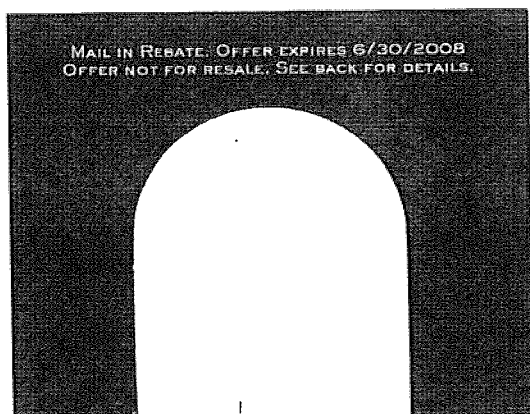
Estancia

"...plum and cherry flavors have lively structure and vanilla tones."

Wine Spectator
September 15, 2003
(2001 Vintage)



PROPRIETOR GROWN ~ MONTEREY ~ PINOT NOIR
PINNACLES RANCH



MAIL IN REBATE. OFFER EXPIRES 6/30/2008
OFFER NOT FOR RESALE. SEE BACK FOR DETAILS.

Estancia

SAVE \$3.00

ON ANY ESTANCIA WINE

SEE BACK FOR DETAILS



MAIL IN REBATE. OFFER EXPIRES 12/31/07.
OFFER NOT FOR RESALE. SEE BACK FOR DETAILS.

Estancia

Supports breast cancer awareness.



SAVE UP TO \$4.00
ON ESTANCIA WINES!

© 2008 Estancia Winery Monterey, CA ES019235DS

Save \$5.00 on beer, chips and soda!

Offer Expires 2/15/08 DO NOT DOUBLE.

CONSUMER: To redeem, buy any 2 bottles of Estancia, present this coupon at check out to receive a \$5.00 savings on the purchase of beer, chips or soda (minimum \$10 purchase required). This coupon is not valid for employees, officers and directors of Estancia and affiliated companies, licensed alcoholic beverage retailers and wholesalers, or other alcoholic beverage licensees, and families and households of the foregoing, and persons not of legal drinking age are not eligible. Void where prohibited. Not to be doubled. One coupon per purchase. **RETAILER:** This coupon will be redeemed for face value indicated plus \$.08 handling if you receive it on the sale of product indicated. Coupon may not be assigned or transferred. Invoice proving purchase of stock to cover coupons must be submitted upon request. Void where prohibited, taxed, or restricted by law. To redeem, SEND TO: CWC Promotional Services, P.O. Box 880181, El Paso, TX 88588-0181. Coupon expires 2/15/08. Cash value 1/100¢. Coupon must be received within 120 days from expiration date.



©2007 ESTANCIA WINERY, CA
WWW.ESTANCIAWINERY.COM
POS# ES016425

©2007 Estancia Estates, CA
www.estanciawinery.com
Estancia will donate \$1500 towards Breast Cancer Awareness in 2007.

BUY: Any 1 bottle of Estancia wine and receive a \$3.00 refund check.

REMOVE: Peel capsule over bottle top (must have top part of capsule).

SEND: This completed form and original cash register receipt(s) dated between 5/1/07 and 6/30/08 with the purchase price(s) circled.

MAIL TO: Offer 12261 - Save \$3 on Estancia
P.O. Box 9249
Young America, MN 55558-9249

MUST BE POSTMARKED BY: 7/15/08

NAME: _____

ADDRESS: _____ **APT#:** _____
Street Address Must Accompany P.O. Box

CITY: _____ **STATE:** _____ **ZIP:** _____

E-MAIL: _____

SIGNATURE: _____ **BIRTHDATE:** ____/____/____

REFUND CONDITIONS:

Offer expires 6/30/08. Offer valid for U.S. residents of legal drinking age. Refund requests for groups, clubs, organizations or from officers or employees of (winery), and alcoholic beverage retailers or wholesalers will not be honored or returned. Please allow 6-8 weeks for delivery. Limit 1 refund per address.

WARNING:

Void where prohibited, taxed or otherwise restricted. Reproduction, purchase, sale or trading of this form, UPC symbol or cash register receipts will not be honored or returned. Fraudulent submission of refund certificate may result in federal prosecution for mail fraud under 18 USC Sections 1341, 1342.

BUY: Any 1 bottle of Estancia and receive a \$1.50 refund check or buy any 2 bottles of Estancia and receive a \$4.00 refund check.

SEND: This completed form and original cash register receipt(s) dated between 10/1/07 and 12/31/07 with the purchase price(s) circled.

MAIL TO: Offer 12427
Fight Breast Cancer and Save up to \$1 on Estancia
P.O. Box 650001
El Paso, TX 88565-0001

MUST BE POSTMARKED BY: 1/15/08

NAME: _____

ADDRESS: _____ **APT#:** _____
Street Address Must Accompany P.O. Box

CITY: _____ **STATE:** _____ **ZIP:** _____

E-MAIL: _____

SIGNATURE: _____ **BIRTHDATE:** ____/____/____

REFUND CONDITIONS:

Offer expires 12/31/07. Offer valid only for U.S. residents of legal drinking age. Refund requests for groups, clubs, organizations or from officers or employees of (Bottling), and alcoholic beverage retailers or wholesalers will not be honored or returned. Please allow 6-8 weeks for delivery. Limit 1 refund per address.

WARNING:

Void where prohibited, taxed or otherwise restricted. Reproduction, purchase, sale or trading of this form, UPC symbol or cash register receipts will not be honored or returned. Fraudulent submission of refund certificate may result in federal prosecution for mail fraud under 18 USC Sections 1341, 1342.

WWW.ETIMATES.COM

PINOT NOIR
YOUR PERFECT PARTY DATE.

SMART BUY!
"ROUND WITH
GOOD RIPENESS..."

Wine Spectator

September 15, 2002, 2000 Vintage

SEE INSIDE FOR PERFECT
PARTY PLANNING TIPS!

FOUR MORE WAYS
TO HAVE THE
PERFECT PARTY.



Official Rules - no wine purchase necessary:

Official Replies - no waste (postage necessary).

2. Smuggler's spouse is resident in the U.S., age 21 or older, Officer, director, employee of Customs Service, alien-owned company, or sponsor; foreign alcoholic beverage trader and wholesaler, or other alcoholic beverage licensee and the Spouseholder's Consent, and their immediate families are not eligible. All federal laws and local laws and regulations apply. Void in CA, UT and where prohibited by law. Odds of winning depend upon the number of entries received. Estimated liquidation of sales \$7000.

[illegible][illegible]

www.estanciaestates.com

Estancia



Enter to Win Estancia's Total Relaxation Sweepstakes

See inside for details.

ESTANCIA—YOU CAN'T HAVE A PERFECT PARTY WITHOUT THE PERFECT WINE.

This holiday season Estancia helps you plan the perfect party. Whether it's your first party or your first party this week, our Perfect Party Tips will help you create a most memorable celebration—and not memorable just because Uncle Bob danced around with a lampshade on his head. Simply follow the 8 suggestions below and you'll be on your way. Yes Virginia, there is a Perfect Party. The holidays and Estancia—two ingredients for the perfect party.

PERFECT PARTY PLANNING TIPS:

1. *Not that you need a reason to drink, but...* Fun wine themes get guests involved. Tour the "Wide World of Pinot Noirs," challenge guests to a "California vs. French Wine War," or treat

them to "The Great White Wine Race." Get creative and your guests will love it.

2. *Even if they can't spell it, they'll eat it.* Plan on 6 hours of wine per person per hour. (Don't forget the water!) A few trays of different cheeses and meats don't gather you know what.

3. *Now you're getting thirsty.* Cheese and wine go together like... well, cheese and wine. Offer 4 or 5 different choices per tray. If you're serving dinner, 2 oz. of alcohol per person is perfect. Just relaxing, cheese and wine? Split it for 4 oz. per guest. Serve these at room temperature (65°F).

4. *Red, white and cool.* Serve white wines well chilled (45 to 50°F). For fast-minute chilling, put wine in ice water for 15 minutes. Avoid over-chilling to maintain flavor. Serve red wines at cellar temperature (55 to 65°F).

5. *Can I offer you some... water?* It's always better to have too much wine than not enough—count on a half bottle per guest. More than that? Count on one cab ride home per person.

6. *We hate when that happens.* Be sure to have sparkling mineral water or white wine on hand. To avoid stains, immediately pout some on red wine spills...come to think of it, how about not spilling in the first place.

7. *Got a light?* A dramatic and effective way to create a festive mood is to light candles or start a raging fire. (Just make sure it's in the fireplace, otherwise call 911.)

8. *We have some lovely parting gifts.* When it's time for everyone to go home, hand out party favors to commemorate the perfect evening. For the holidays try chocolate or ornaments. Whatever you do, don't hand out fruit cake.

©2003 Estancia Estates, Soledad, CA POS Item #: 52564

Estancia

Let Estancia help you slow down and relax this spring. Relaxation can come in many forms, whether it's getting away for the weekend to a secluded spa resort destination, or swaying the afternoon away in a backyard hammock. Estancia is made slowly to be enjoyed that way, helping you to unwind in whatever way you see fit.

Now you can really relax with Estancia by entering to win any of these Total Relaxation Sweepstakes prizes. Grand Prize—A weekend spa getaway for two to the capital of relaxation, Monterey, California, for a 2 night stay at one of the area's most luxurious spa resorts (one prize). First Prize—A backyard hammock complete with stand (5 prizes awarded). Second Prize—A complete home spa kit (25 prizes awarded).

Enter here to win Estancia's Total Relaxation Sweepstakes.

Name _____
Age _____
Address _____
City, State, Zip _____
Daytime Phone # _____

Complete and mail this entry form:
Estancia Total Relaxation Sweepstakes, P.O. Box 16470, Rochester, NY 14616.

To be postmarked by 7/1/04 and received by 7/12/04. Limit of one entry per person per household. Not mechanically reproduced entries will be honored.

Estancia
PINNACLES

PINOT NOIR

87 POINTS!

"A pleasant Pinot that
harbors pretty cherry,
herb and licorice flavors."

WINE
ENTHUSIAST
May 2002

**Send Away For an Estancia 2 Bottle Wine Bag
Between 6/1/02 and 9/15/02**

To receive your Estancia 2 Bottle Wine Bag by mail:

1. Please submit the following:
 - This mail-in coupon
 - A check or money order for \$14.99 plus \$5.00 shipping and handling made out to:
The Sweepstakes Center
2. Mail these materials to:
Estancia Wine Bag Offer
P.O. Box 25336
Rochester, NY 14625-0336

Please print:

NAME: _____

ADDRESS: _____ APT# _____
P.O. BOX NOT ACCEPTABLE

CITY: _____ STATE: _____ ZIP: _____

CODE: _____

(Must be postmarked by 9/15/02 and received by 9/30/02)

Allow 6 to 8 weeks for delivery. Offer open to U.S. residents only, except employees of Franciscan Estates, its affiliates, subsidiaries, distributors, dealers, and retailers. Limit one wine bag per household/address, group or organization. Offer void where prohibited, taxed, or otherwise restricted. No post office boxes allowed, only street or rural route addresses are acceptable. Not responsible for lost, late, misdirected, damaged, or postage due mail. Warning: Reproduction, purchase, sale or trade of this certificate is prohibited. Fraudulent submission could result in federal prosecution under mail fraud statutes. (Title 18, United States Code, Section 1341 and 1342.) Offer Expires 9/15/02



MAIL IN REBATE. OFFER EXPIRES 12/31/06.
OFFER NOT FOR RESALE. SEE BACK FOR DETAILS.

Estancia
UNCORK & UNWIND

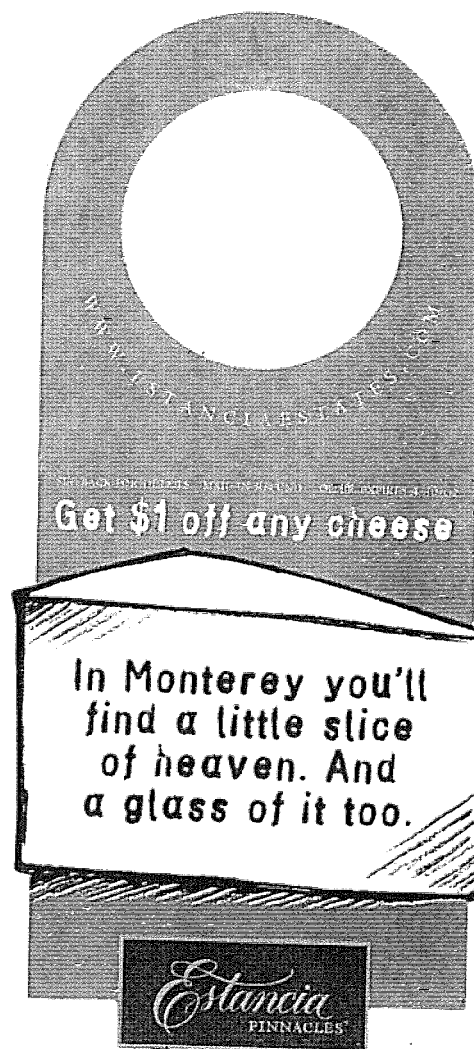


SAVE UP TO \$4
ON ESTANCIA WINES!



SAVE UP TO \$4.00
ON ESTANCIA WINES!

Estancia



Offer valid applicable on purchase of Estancia Red Meritage or Estancia Reserve Pinot Noir.
MAIL IN REBATE. OFFER EXPIRES 9/30/05.
OFFER NOT FOR RESALE. SEE BACK FOR DETAILS.

©2006 ESTANCIA ESTATES, SOLEDAD, CA
POS # 112736
WWW.ESTANCIWINERY.COM

BUY: Any 1 bottle of Estancia and receive a \$1.50 refund check or buy any 2 bottles of Estancia and receive a \$4.00 refund check.

REMOVE: Foil capsule over bottle top (top & base top part of capsule).

SEND: This completed form and original cash register receipt(s) dated between 1/1/06 and 12/31/06 with the purchase price(s) circled.

MAIL TO: Estancia Brand Offer 6536, P.O. Box 42906, Mesa, AZ 85247-2906

MUST BE POSTMARKED BY: 1/15/07

NAME: _____

ADDRESS: _____ **APT#:** _____
Street Address Must Accompany P.O. Box

CITY: _____ **STATE:** _____ **ZIP:** _____

E-MAIL: _____

SIGNATURE: _____ **BIRTHDATE:** ____/____/____

REFUND CONDITIONS:

Offer expires 12/31/06. Refund request for groups, clubs, organizations or from officers or employees of (winery), and alcoholic beverage retailers or wholesalers will not be honored or returned. Please allow 6-8 weeks for delivery. Limit 1 refund per address.

WARNING:

Void where prohibited, taxed or otherwise restricted, including AL, AR, HI, IN, ME, MI, MN, NC, OH, OH, TX and UT. Reproduction, purchase, sale or trading of this form, UPC symbols or cash register receipts will not be honored or returned. Fraudulent submission of refund certificate may result in federal prosecution for mail fraud under 18 USC Sections 1341, 1342.

OFFER EXPIRES 4/30/02

BUY:

Any cheese, no wine purchase necessary and receive a \$1 refund check.

SEND:

This completed form, and original cash register receipt(s) with the purchase price(s) circled.

MAIL TO:

Estancia Cheese Offer
P.O. Box 42906
Mesa, AZ
85247-2906

MUST BE POSTMARKED BY: 5/31/02

NAME: _____

ADDRESS: _____ **APT#** _____
STREET ADDRESS MUST ACCOMPANY P.O. BOX

CITY: _____ **STATE:** _____ **ZIP:** _____

SIGNATURE: _____ **BIRTHDATE:** ____/____/____

REFUND CONDITIONS:

Offer expires 4/30/02. Offer valid only for U.S. residents of legal drinking age. Refund requests for groups, clubs, organizations or from officers or employees of (winery), and alcoholic beverage retailers or wholesalers will not be honored or returned. Please allow 6-8 weeks for delivery. Limit 1 refund per household, name or address.

WARNING:

Void where prohibited, taxed or otherwise restricted by law. Reproduction, purchase, sale or trading of this form, UPC symbols or cash register receipts will not be honored or returned. Fraudulent submission of refund certificate may result in federal prosecution for mail fraud under 18 USC Sections 1341, 1342.

©2005 ESTANCIA ESTATES, SOLEDAD, CA
POS # 55796
WWW.ESTANCIWINERY.COM

BUY:

Any 1 bottle of Estancia and receive a \$1.50 refund check or buy any 2 bottles of Estancia and receive a \$4.00 refund check. Offer not applicable on purchase of Estancia Red Marriage or Estancia Reserve Pinot Noir.

REMOVE:

Foil capsule over bottle top (top & base top part of capsule).

SEND:

This completed form and original cash register receipt(s) dated between 6/1/05 and 5/31/06 with the purchase price(s) circled.

MAIL TO: Estancia Brand Offer 5602, P.O. Box 42906, Mesa, AZ 85247-2906

MUST BE POSTMARKED BY: 5/30/06

NAME: _____

ADDRESS: _____ **APT#:** _____

Street Address Must Accompany P.O. Box

CITY: _____ **STATE:** _____ **ZIP:** _____

E-MAIL: _____

SIGNATURE: _____ **BIRTHDATE:** ____/____/____

REFUND CONDITIONS:

Offer expires 5/31/06. Refund request for groups, clubs, organizations or from officers or employees of (winery), and alcoholic beverage retailers or wholesalers will not be honored or returned. Please allow 6-8 weeks for delivery. Limit 1 refund per address.

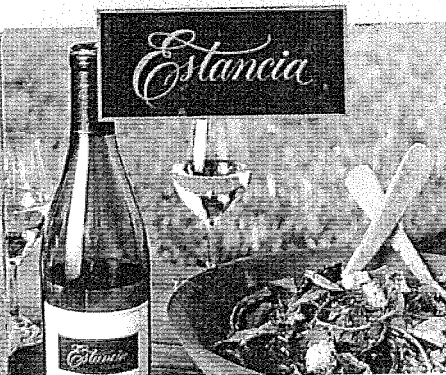
WARNING:

Void where prohibited, taxed or otherwise restricted, including AL, AR, HI, IN, ME, MI, MN, NC, OH, OH, TX and UT. Reproduction, purchase, sale or trading of this form, UPC symbols or cash register receipts will not be honored or returned. Fraudulent submission of refund certificate may result in federal prosecution for mail fraud under 18 USC Sections 1341, 1342.

Estancia

Salad or sandwich,
picnic or party,
banquet or barbecue.
ALWAYS ESTANCIA.

Awarded 19 Best Buys
from *Wine Spectator*
in 15 years.



CHARDONNAY

SEE INSIDE
FOR A GREAT
SPRING SALAD RECIPE.

Estancia
PINNACLES

PINOT NOIR

87 POINTS!

"A pleasant Pinot that
harbors pretty cherry,
herb and licorice flavors."

WINE
ENTHUSIAST
May 2002



CHARDONNAY

Smoked Trout & Apple Salad

(SERVES FOUR)

SALAD

- 1 Apple
- 2 SIDES Smoked trout
- 2 BUNCHES Watercress
- ¼ C. Toasted walnuts

DRESSING

- 2 T. Dijon mustard
- 1 T. Apple cider vinegar
- 1 Egg yolk
- 4 oz. Vegetable oil

In the bowl of a food processor combine the apple cider vinegar, egg yolk, and mustard. Turn the food processor on and slowly drizzle with vegetable oil. When all of the oil is emulsified, the dressing is complete. You may have more dressing than you need. Dressing may be refrigerated for additional use for up to one week.

For the salad, wash and clean the watercress of any tough stems and place in a medium sized bowl. Core the apple and slice into long thin slices. Clean the trout of its outer skin and break into one inch pieces. Combine the apple, trout, and walnuts in the watercress in the bowl and dress. Serve immediately.

Send Away For an Estancia 2 Bottle Wine Bag
Between 6/1/02 and 9/15/02

To receive your Estancia 2 Bottle Wine Bag by mail:

1. Please submit the following:
 - This mail-in coupon
 - A check or money order for \$14.99 plus \$5.00 shipping and handling made out to:
The Sweepstakes Center
2. Mail these materials to:
Estancia Wine Bag Offer
P.O. Box 25336
Rochester, NY 14625-0336

Please print.

NAME: _____

ADDRESS: _____ APT# _____

P.O. BOX NOT ACCEPTABLE

CITY: _____ STATE: _____ ZIP: _____

CODE: _____

(Must be postmarked by 9/15/02 and received by 9/30/02)

Allow 6 to 8 weeks for delivery. Offer open to U.S. residents only, except employees of Franciscan Estates, its affiliates, subsidiaries, distributors, dealers, and retailers. Limit one wine bag per household/address, group or organization. Offer void where prohibited, taxed, or otherwise restricted. No post office boxes allowed, only street or rural route addresses are acceptable. Not responsible for lost, late, misdirected, damaged, or postage due mail. Warning: Reproduction, purchase, sale or trade of this certificate is prohibited. Fraudulent submission could result in federal prosecution under mail fraud statutes. (Title 18, United States Code, Section 1341 and 1342.) Offer Expires 9/15/02



Estancia

A Knock Out!

MERLOT

"87 Points!"
Succulent and *rich* flavors
of cherries and plums.

Wine Spectator

Estancia

Nine Time "Best Buy!"

CABERNET
SAUVIGNON

"Lush berry fruit
and **exotic**
spice aromas."

Wine Spectator

Estancia

"Power to the Pinot!"

PINNACLES
PINOT NOIR

"87 Points!"
The **Perennial Pinot!**
Juicy berry and cherry
fruit flavors.

WINE
ENTHUSIAST

Estancia

Eleven Time "Best Buy!"

PINNACLES
CHARDONNAY


A **consistent favorite!**
Delicious pineapple
and pear flavors!

Wine Spectator

Estancia

"...plum and cherry flavors have lively structure and vanilla tones."

Wine Spectator
September 15, 2003
(2001 Vintage)

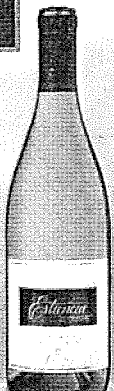


PROPRIETOR GROWN ~ MONTEREY ~ PINOT NOIR
PINNACLES RANCH

Estancia

"...a core of citrus, grapefruit and pippin flavors."

Wine Spectator
May 15, 2003
(2001 Vintage)



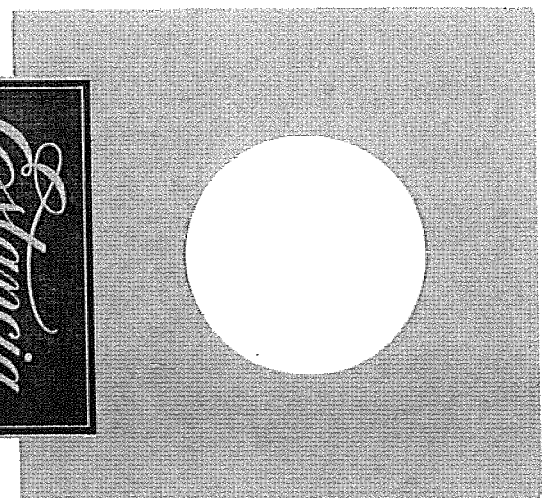
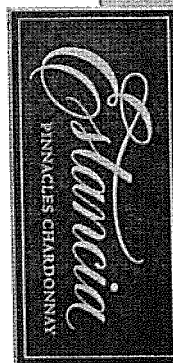
PROPRIETOR GROWN ~ MONTEREY ~ CHARDONNAY
PINNACLES RANCH



Food & Wine Magazine
October 1999

"Defies the preconception that a moderately priced wine can't be great."

"WHITE WINE VALUE OF THE YEAR"



Estancia
"PINNACLES" CHARDONNAY

"Best Buy!"

88 "This wine is
for fans of
smooth and rich
tasting California
Chardonnay.
Ready to drink
now."

Wine Spectator
February 28, 1999



June 30, 1998

Wine Spectator

Estancia **"88"**
Rated a
TOP CHARDONNAY
of the Vintage!

"Pear and pineapple flavors
with a spicy oak aftertaste."

Wine Spectator

1998 READERS' CHOICE AWARD
WINNERS VOTED FOR THE BEST OF THE BEST IN WINE, FOOD AND MORE



Pirot Noir
Goes great
with an
empty wine
glass.



Chardonnay
Unfortunately,
it doesn't count
as a serving
of fruit.



86 points!



The Best of California Issue
Dec. 2000

"Exhibits straightforward,
jammy cherry aromas and
flavors. Medium body with
a soft finish."

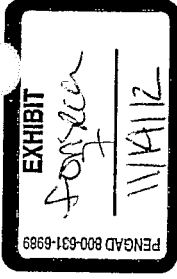
www.thewineadvocate.com

87 points!



"This attractive, medium
to full-bodied wine offers
abundant quantities of ripe
pineapple, peach and
pear-like fruit."

www.thewineadvocate.com



Estancia
PINNACLES

CHARDONNAY

Best Buy!

Wine Spectator

May 2000

Our wines are an expression
of our vineyards, giving
unique voice to the terroir
on which they are grown.

Eleven-Time Wine Spectator "Best Buy"

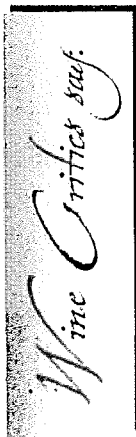


A Consistent Favorite!

Taste & see why critics and consumers choose

Estancia Chardonnay year after year...

CHARDONNAY

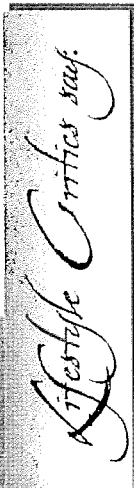


Wine Spectator

Wine
enthusiast

New York Times

- "Best Buy!" Wine Spectator, May 2000
- "Best Buy!" Wine Enthusiast, May 2000
- "Best Buy!" Wine Spectator, February 1999
- "Best Buy!" Wine Spectator, June 1998
- "A Top Ten Value," James Laube's Best-Value California Chardonnays, Wine Spectator, April 1999
- "Elegant with enough substance to stand up to any meal" New York Times, November 1998



FOOD & WINE

THE WALL STREET JOURNAL



- "White Wine Value of the Year!" Food and Wine Magazine, October 1999
- "Look no further than Estancia Chardonnay" Washington Post, June 1999
- "This is always a name to look for... a great buy" Wall Street Journal, May 1999
- "An exceptional Chardonnay!" USA Today, October 1996
- "Highly Recommended" Andrea Immer, Master Sommelier. New Woman Magazine, July 1998



WINE & SPIRITS

San Francisco Chronicle

- "A Favorite Restaurant wine-by-the-glass!" Wine & Spirits, 11th Annual Restaurant Poll, April 2000
- "Top Estate Winery of the Year!" Wine & Spirits 1999 Annual Buying Guide
- Chosen in "Retailers' Top Picks" San Francisco Chronicle, June 1997



Estancia

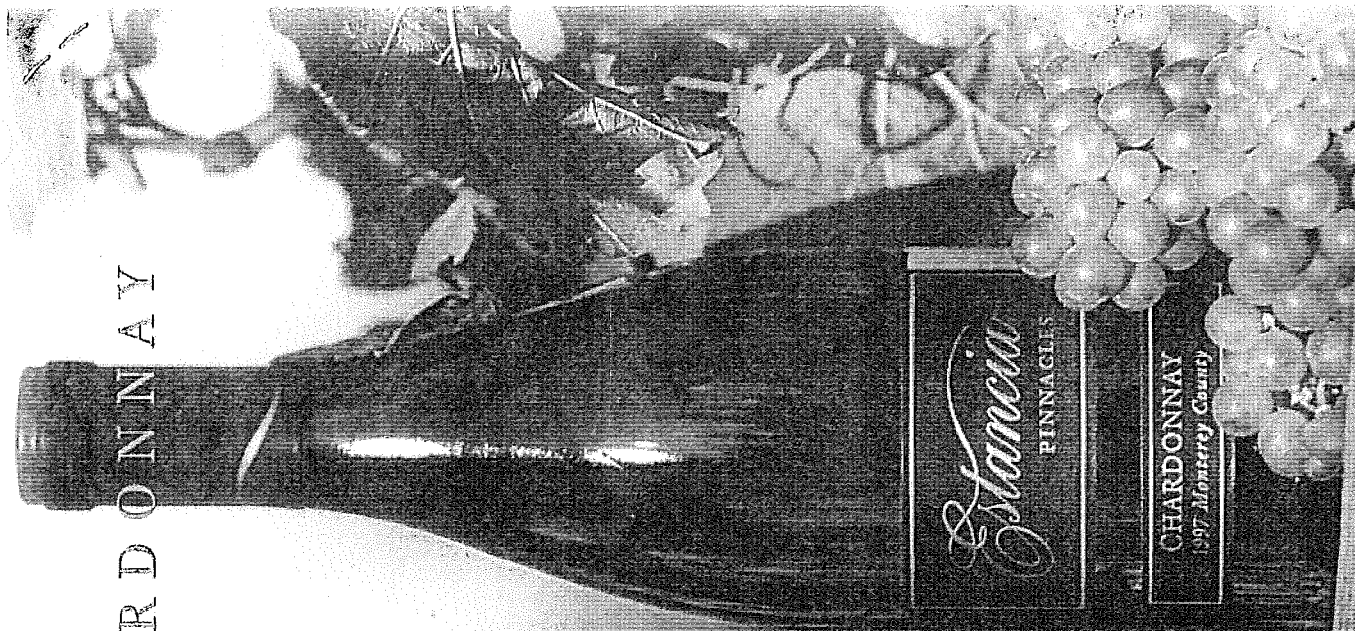
"PINNACLES" CHARDONNAY

"Best Buy!"

CC "This wine is for fans of
CC smooth and rich tasting
California Chardonnay. Ultraripe
in style, with a bounty of pear,
fig and tropical fruit flavor.
Ready to drink now."

Wine Spectator

February 28, 1999



ESTANCIA: CHANGING THE LANDSCAPE OF MONTEREY



One of the Hottest Wineries in California

Wine Spectator Says:

...and Consumers Agree!

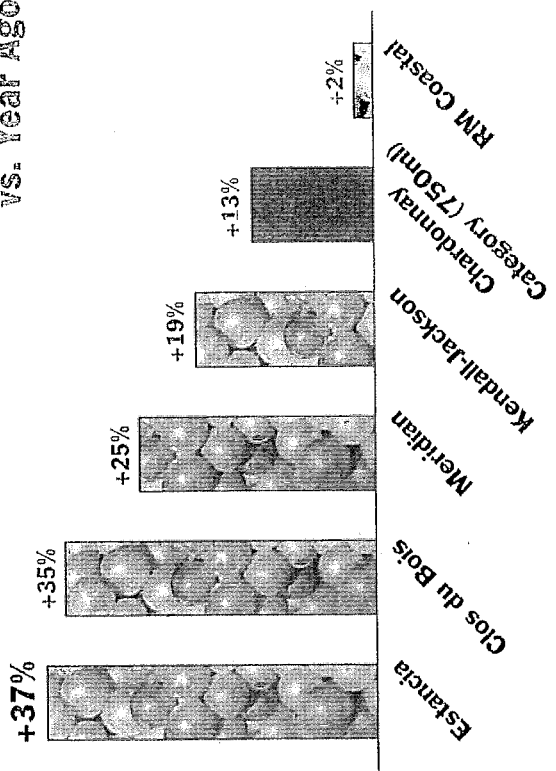
Year After Year
Estancia Chardonnay
The Most Delicious of the Vintage.

Estancia Chardonnay – Outpacing the Category and the Competition.

ESTANCIA	“88”
Kendall-Jackson	“87”
Beringer Napa Valley	“87”
Meridian	“87”
RM Coastal	“83”
Clos du Bois	“82”
Murphy-Goode	“82”
Rodney Strong	“82”
Chateau St. Jean	“82”

Wine Spectator Ratings 1997 Vintage Chardonnays

Dollar Sales Growth vs. Year Ago



Source: IRI Infoscan / 52 week period ending 12/99
Total U.S. Food

100% Estate Grown Chardonnay • Consistently Delicious Year After Year
A Superior Consumer Value • A Leader in Sales and Growth

Wine Spectator

MAY 15, 1998

“TOP TEN VALUES
FOR PINOT NOIR IN AMERICA”



87 ESTANCIA PINOT NOIR
Monterey

“This lovely mouthful of currant, berry, herb and toast flavors has a smooth and promising finish.”

Wine Spectator

May 15, 1998

1998 EDITION
COMMEMORATIVE JEROBOAM
FROM...

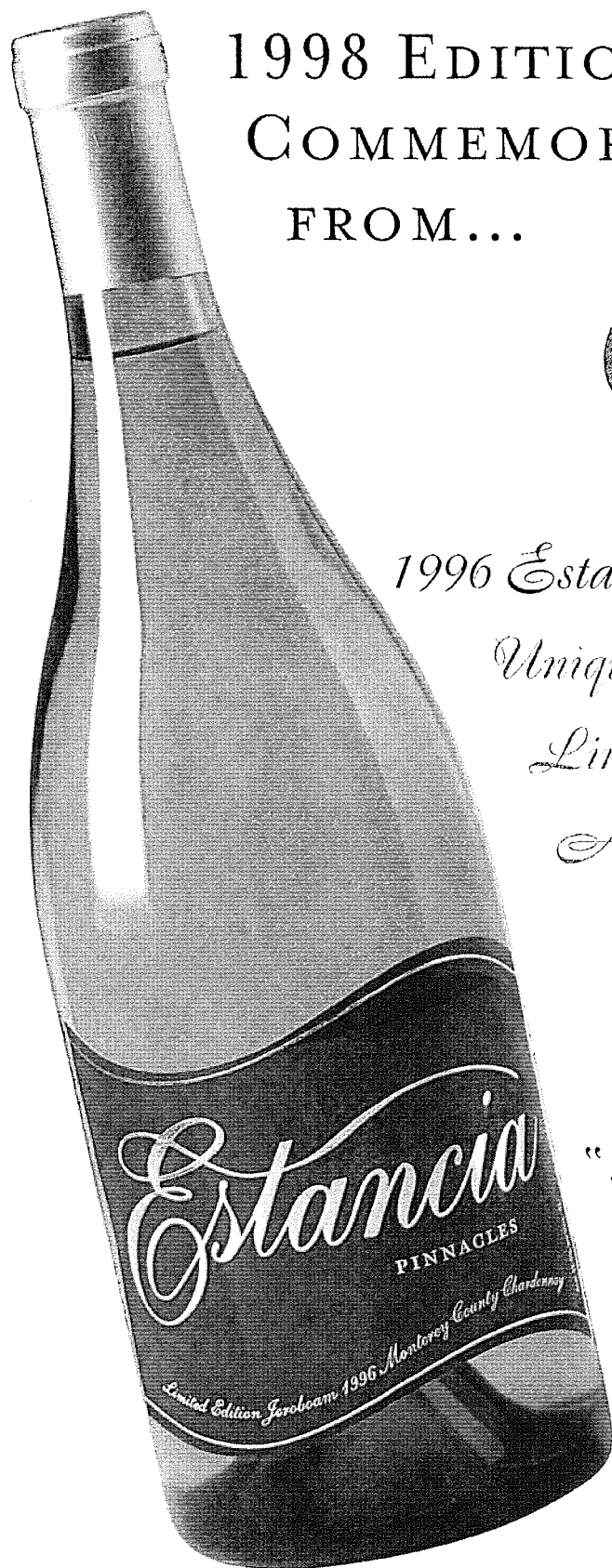
Estancia

1996 Estancia Pinnacles Chardonnay

Unique Design

Limited Edition Bottle

A Striking Display Piece



"...CHANGING MONTEREY
COUNTY'S LANDSCAPE
WITH A NEW GENERATION
OF FINE WINES"

WINE SPECTATOR

★ ★ ★

THE WALL STREET JOURNAL

FRIDAY, APRIL 3, 1998



What's News

"BEST OF TASTING"

"The best of the tasting was a monster of a wine. It was from an old favorite, Estancia.

Worth far more than we paid... Chewy, rich, complex with the kind of finish that lingers in your mouth.

Pop one open tonight!"

—The Wall Street Journal

Friday, April 3, 1998

POP ONE OPEN TONIGHT!

—The Wall Street Journal / Friday, April 3, 1998

"94" BEST BUY!

"Rich, mouth-filling herbal flavors with a finely judged smokey oak note through the finish. Very hedonistic."

WINE
ENTHUSIAST
Buying Guide Section
September 1998

"87" BEST BUY!

"A softer style, with good balance of fruity and herbal flavors. From a reliable producer for values."

Wine Spectator
September 1998

"DELICIOUS,
spicy, honeyed and nicely textured. Offers plenty of flavor, excellent purity and very good richness."

The
WINE
ADVOCATE

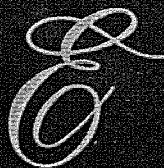
Robert Parker, Jr.
June 1998



"Ripe fruit tones and loads of oak emerge in rich aromas along with honeyed, toasted scents... very much the big, dense wine promised in the aromas."

CONNOISSEURS' GUIDE

to California Wine
April 1998



**FROM MONTEREY
COUNTY**

**"A REGION WHOSE
WINES ARE POISED
FOR GREATNESS"**

Wine Spectator
JUNE 1997

**THE CRITICS HAVE DECLARED
ESTANCIA FUMÉ BLANC
DELICIOUS! HEDONISTIC! A BEST BUY!**



Wine Spectator

SPECTATOR SELECTION

89

ESTANCIA Chardonnay Monterey County

A remarkably elegant and refined California Chardonnay that strikes a nice balance between the ripe, rich fig, pear and citrus flavors and the deft oak shadings. Very complex on the finish, where the flavors unfold, gaining depth and nuance. *What a deal at this price.*

~ Wine Spectator Buying Guide, October 15, 1996



FOOD & WINE

October 1999

special. wine issue

1999 american wine awards
40 simple harvest recipes
napa's top secrets
20 great values

1997 ESTANCIA PINNACLES CHARDONNAY
WHITE WINE VALUE OF THE YEAR



25 women wine stars

www.foodandwine.com

1997 ESTANCIA PINNACLES CHARDONNAY

WHITE WINE VALUE OF THE YEAR



Photo: Quentin Bacon

In today's economy, a Chardonnay that retails for \$10 faces an unlikely prejudice: Can anything so inexpensive possibly be good? Estancia Pinnacles Chardonnay defies the preconception that a modestly priced wine can't be great. "It's sad," says Agustin Francisco Huneus, vice president of sales and marketing and the son of former president Agustin Huneus, the legendary Chilean vintner. "People are actually afraid to spend less. And the truth is, among most \$7 to \$20 Chardonnays, it's hard to tell the difference." Not so with Estancia. Made from grapes from Estancia's Pinnacles Vineyard in Monterey County, a cool region known for its high-quality fruit, the wine has a distinctive apple-and-pear aroma and a radiant golden-straw color. "The singular difference between our wine and others in this price category is consistency," Huneus says. "Pinnacles is our vineyard—we're not dealing with growers who have different incentives. We're not switching sources every year the way a lot of other Chardonnay producers do. That's a huge difference." And at 10 bucks a bottle, that's also quite a bargain.

Congratulations to our other Wine Award Winners:

1997 RABBIT RIDGE ZINFANDEL
RED WINE VALUE OF THE YEAR

•
BERINGER VINEYARDS
WINERY OF THE YEAR

•
HELEN TURLEY
WINEMAKER OF THE YEAR

•
VIN DIVINO
IMPORTER OF THE YEAR

•
DRINK: A SOCIAL HISTORY OF AMERICA
BOOK OF THE YEAR

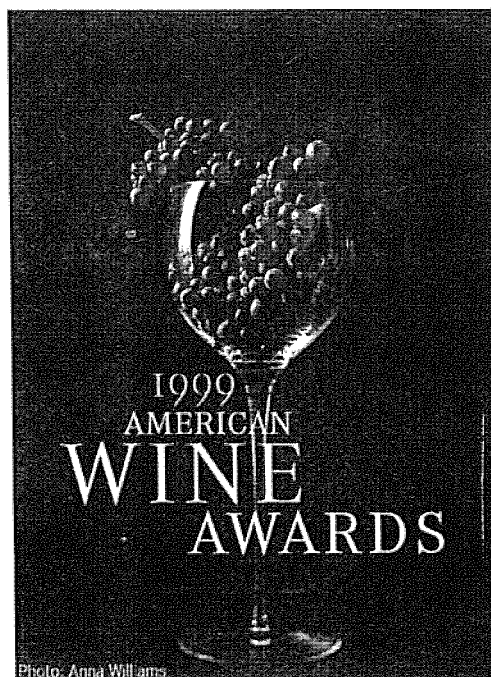


Photo: Anna Williams

© 2007 Estancia, CA - POS # ES014025

BON APPÉTIT BEST OF THE YEAR

ESTANCIA
2005 PINOT NOIR
Pinnacles Ranches
Monterey

"Luscious plum and
raspberry fruit with a
subtle earthiness."

—January 2007

Estancia

Monterey
PINOT NOIR



Lusciously fruity with
ripe cherry &
strawberry.

Estancia
PINNACLES

CHARDONNAY

Best Buy!

Wine Spectator

May 2000

Eleven-Time Winner!

© 2007 Estancia, CA. E5016725

WINE ENTHUSIAST

July 2007

BEST BUY 87 Points!

"... with crisp, clean acidity brightening the kiwi and lime flavors. Some new oak adds welcome buttered toast and smoky vanilla complexities."

ESTANCIA
2005 CHARDONNAY
Pinnacles Ranches
Monterey

© 2008 Estancia Estates, Seledad CA. E5022625

WINE ENTHUSIAST

November 15, 2007

"GOOD VALUE"

"High, brisk acidity is the star in this Central Coast Chard. It gives a good kick to the ripe guava, nectarine, mineral and vanilla flavors.

Good value, and very versatile with food."

ESTANCIA
2006 CHARDONNAY
Pinnacles Ranches
Monterey

Estancia

MONTEREY PINOT NOIR

"50 Best Values of 1996"

— WINE & SPIRITS, DECEMBER 1996

90

*"Outstanding! Estancia is
producing some of the best values
on the market today."*

—WINES INTERNATIONAL

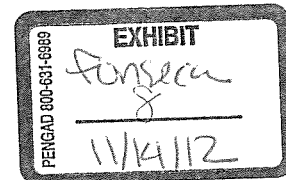


90

*"Best Buy! This winery
continues to offer incredible value
and quality."*

—WINE ENTHUSIAST

H A N D C R A F T E D E L E G A N C E



	<u>Wholesale Annual Sales in dollars</u>
FY 2001:	\$20,468,000
FY 2002:	\$23,306,000
FY 2003:	\$26,316,000
FY 2004:	\$25,843,000
FY 2005:	\$26,058,000
FY 2006:	\$27,320,738
FY 2007:	\$30,072,050
FY 2008:	\$32,025,294
FY 2009:	\$41,676,834

Total past 9 fiscal years: \$253,085,916 (wholesale sales)

Interrogatory No. 4: For each product identified in response to Interrogatory No. 1 above, state the volume of sales in units (i.e., cases) since 2001.

Response: Annual volume of sales in units (i.e., cases) of wine bearing Opposer's Marks:

	<u>Cases</u>
FY 2001:	238,000
FY 2002:	271,000
FY 2003:	306,000
FY 2004:	300,500
FY 2005:	303,000
FY 2006:	317,683
FY 2007:	349,675
FY 2008:	344,358
FY 2009:	448,138

Interrogatory No. 5: For each product identified in response to Interrogatory No. 1 above, on which one or more of Opposer's Marks are not currently used, state: (i) the date on which the use of Opposer's Mark(s) was discontinued; (ii) the reason(s) for the discontinuance of Opposer's Mark(s); and (iii) whether Opposer intends to resume use of Opposer's Mark(s).

Response: N/A

Interrogatory No. 6: Identify and describe fully the manner in which Opposer's Marks have been displayed on Opposer's products.

Response: On labels and on capsules.

Interrogatory No. 7: Identify the persons who have been or will be principally responsible for the advertising, promotion and/or sale of each product in the United States identified in response to Interrogatory No.1 above.

Response:

Christine Lilienthal, Marketing Manager, Estancia Winery
John Maxwell, Group Director
Oren Lewin, SVP Marketing
Alicia Laury, PR Manager

Interrogatory No. 8: Identify all advertising and promotional methods and types of media used in advertising or promoting the sale of any products under Opposer's Marks, specifying each publication, periodical, newspaper, radio station, television station, Internet website, or other advertising medium used in connection with such advertising or promotion.

Response:

www.estanciawinery.com
Trade/Distributor pricing magazines
POS--available all year (neckers, shelftalkers, case cards, glorifiers)
Packaging
Winery signage

Interrogatory No. 9: Identify on an annual basis and broken down by specific product the amounts spent by Opposer in advertising and/or promoting Opposer's Marks in the United States from 2001 to the present.

Response: Annual amounts spent by Opposer in advertising and/or promoting Opposer's Marks for wine:

	<u>Approximate Figures</u>
FY 2001:	\$200,000
FY 2002:	\$275,000
FY 2003:	\$350,000
FY 2004:	\$400,000
FY 2005:	\$500,000
FY 2006:	\$600,000
FY 2007:	\$700,000
FY 2008:	\$750,000
FY 2009:	\$600,000

Interrogatory No.10: Identify on an annual basis and broken down by specific product gross revenues received by Opposer from the sale of products under Opposer's Marks in the United States since 2001.

Response: Opposer objects to the interrogatory as being duplicative of interrogatory no. 3.

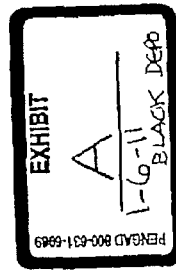
Total Estancia

	F11	F12	F13YTD	F13projected
Net Sales	\$ 64,928,568.00	\$ 69,270,613.00	\$ 42,828,912.00	\$ 69,166,401.00
Marketing Budget	\$ 2,173,241.00	\$ 1,638,342.00	\$ 821,225.00	\$ 1,048,553.00

~~Estate~~ Tier Only

Net Sales	51,942	55,416

Pinnacles Skus		
Period	Volume	Gross \$
FY2010	367,021	\$34,619,050
Pinnacles Related Marketing Spend		
FY2010	\$1,364,497	



C
D