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Filing date: **10/24/2011**

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

Proceeding	91189443
Party	Plaintiff Oakville Hills Cellar, Inc., dba Dalla Valle Vineyards
Correspondence Address	J SCOTT GERIEN DICKENSON PEATMAN & FOGARTY 809 COOMBS STREET NAPA, CA 94559 UNITED STATES tmdept@dpf-law.com, sgerien@dpf-law.com
Submission	Other Motions/Papers
Filer's Name	J. Scott Gerien
Filer's e-mail	tmdept@dpf-law.com
Signature	/J. Scott Gerien/
Date	10/24/2011
Attachments	Opposer's Notice of Status of Federal Action.pdf (3 pages)(105999 bytes)

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Attorneys for Opposer
OAKVILLE HILLS CELLAR, INC.

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

Oakville Hills Cellar, Inc., dba Dalla Valle
Vineyards

Opposer,

vs.

Viña Casa Tamaya S.A.,

Applicant.

OPPOSITION NO. 91189443

**OPPOSER'S NOTICE OF STATUS OF
FEDERAL ACTION**

On September 22, 2011, the Board issued an Order that the Parties in this matter inform the Board as to the status of the federal action which resulted in the suspension of this proceeding. The Southern District of New York has dismissed the declaratory judgment action filed by Applicant which resulted in the suspension of this proceeding. Such dismissal was not appealed by Applicant. Furthermore, the parties have not resolved their dispute. Accordingly, the Opposition proceeding should be resumed and appropriate dates should be reset.

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Dated: 10/24/11

Respectfully submitted,

DICKENSON, PEATMAN & FOGARTY

By



J. Scott Gerien
Aleson R. Clarke

Attorneys for Opposer,
OAKVILLE HILLS CELLAR, INC.

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PROOF OF SERVICE

I declare that I am over the age of 18 years, employed in the County of Napa, and not a party to the within action; my business address is 809 Coombs Street, Napa, California 94559. On October 24, 2011, I served the attached **OPPOSER'S NOTICE OF STATUS OF FEDERAL ACTION** on the person(s) listed below:

Barbara H. Loewenthal
Gottlieb, Rackman & Reisman, P.C.
270 Madison Avenue, 8th Floor
New York, NY 10016-0601

David M. Kelly
Finnegan & Henderson
901 New York Avenue, NW
Washington, DC 20001-4413

by enclosing a true copy in a sealed envelope addressed as shown above and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed October 24, 2011, at Napa, California.


JAYMIE KILGORE