

ESTTA Tracking number: **ESTTA1256970**

Filing date: **12/28/2022**

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

Proceeding no.	91276157
Party	Defendant Gamba Vineyards & Winery, LLC
Correspondence address	J. SCOTT GERIEN DICKENSON, PEATMAN & FOGARTY 1500 FIRST STREET, STE 200 NAPA, CA 94559 UNITED STATES Primary email: tmdept@dpf-law.com 707-252-7122
Submission	Other Motions/Submissions
Filer's name	Barbara Barrera
Filer's email	tmltg@dpf-law.com, jdurand@dpf-law.com, bbarrera@dpf-law.com
Signature	/Barbara Barrera/
Date	12/28/2022
Attachments	Noltice of Non-Opposition.pdf(153763 bytes )

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

ZHS IP Americas Srl,  
Opposer,  
vs.  
Gamba Vineyards & Winery, LLC,  
Applicant.

OPPOSITION NO. 91276157  
  
NOTICE OF NON-OPPOSITION TO  
OPPOSER’S MOTION TO AMEND NOTICE  
OF OPPOSITION

TO THE COMMISSIONER OF TRADEMARKS:

Applicant, Gamba Vineyards & Winery, LLC (“Applicant”) hereby submits this Notice of Non-Opposition to Opposer’s Motion to Amend Notice of Opposition. Applicant concurrently herewith also files its Answer to the Amended Notice of Opposition.

Applicant would like to take this opportunity to correct Opposer’s assertion in its brief that no discovery has yet been served in this proceeding. In fact, Applicant served discovery upon Opposer the day prior to Opposer’s motion.

Applicant requests that the current deadlines for the proceedings in this matter neither be suspended nor extended.

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Dated: December 28, 2022

DICKENSON, PEATMAN & FOGARTY



By: J. Scott Gerien  
Joy L. Durand

1500 First Street, Suite 200  
Napa, California 94559  
Telephone: (707) 340-7239

Attorneys for Opposer,  
Gamba Vineyards & Winery, LLC

DICKENSON PEATMAN & FOGARTY

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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 1500 First Street, Suite 200, Napa, California 94559.

On December 28, 2022, I caused a copy of the following document(s) to be served by email:

- **NOTICE OF NON-OPPOSITION TO OPPOSER’S MOTION TO AMEND NOTICE OF OPPOSITION**

The persons served are as follows:

**JANICE HOUSEY  
LITMUS LAW, PLLC**

jhousey@litmuslaw.com

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

Executed December 28, 2022, at Napa, California.

\_\_\_\_\_  
Barbara Barrera  
Legal Secretary