

ESTTA Tracking number: **ESTTA42115**

Filing date: **08/12/2005**

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

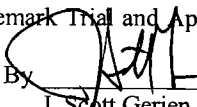
<b>Proceeding</b>	92043953
<b>Party</b>	Plaintiff Tri-Star Marketing, LLC  Tri-Star Marketing, LLC 712 Bancroft Road, #463 Walnut Creek, CA 94598 UNITED STATES
<b>Correspondence Address</b>	J. SCOTT GERIEN OWEN, WICKERSHAM & ERICKSON 455 MARKET STREET, 19TH FLOOR SAN FRANCISCO, CA 94105 UNITED STATES sgerien@owe.com
<b>Submission</b>	Revocation and Substitution of Counsel
<b>Filer's Name</b>	J. Scott Gerien
<b>Filer's e-mail</b>	tmdept@dpmnapa.com
<b>Signature</b>	/J. Scott Gerien/
<b>Date</b>	08/12/2005
<b>Attachments</b>	SUBSTITUTION.pdf ( 2 pages )

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Certificate of Electronic Filing

I hereby certify that this correspondence is being electronically filed with the Trademark Trial and Appeal Board through the ESTTA system located at <http://estta.uspto.gov>.

Dated: 8/16/05

By:   
J. Scott Gerien

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

In the matter of Trademark Registration


Reg. No.: 2,282,461  
Mark: **RUSTICO**  
Registered: October 5, 1999

TRI-STAR MARKETING, LLC.,  
Petitioner,  
v.  
NINO FRANCO SPUMANTI S.R.L.,  
Registrant.

Cancellation No. 92043953  
**REVOCATION AND  
SUBSTITUTION OF COUNSEL**

Petitioner, TRI-STAR MARKETING, LLC, hereby revokes all prior powers of attorney in the above referenced matter and hereby appoints J. Scott Gerien of the Law Firm of Dickenson, Peatman & Fogarty, located at 809 Coombs Street, Napa, California 94559-2799, telephone 707-252-7122, facsimile 707-255-6876, to be substituted in place of prior counsel.

TRI-STAR MARKETING, LLC

By:   
Anthony Scotto, III

**CERTIFICATE 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.

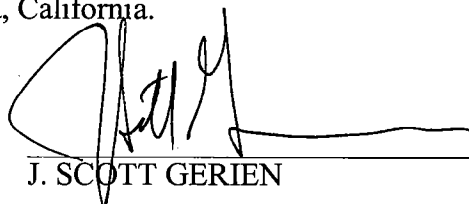
On August 12, 2005, I served the attached **REVOCATION AND SUBSTITUTION OF COUNSEL** on the person(s) listed below:

Martin P. Hoffman, Esq.  
Hoffman, Wasson & Gitler, P.C.  
2461 South Clark Street  
Suite 522 – Crystal Center 2  
Arlington, VA 22202-3823  
Fax: (703) 418-2768

by enclosing a true copy in a sealed envelope addressed as shown below 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. The persons served are as follows:

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

Executed August 12, 2005, at Napa, California.

  
\_\_\_\_\_  
J. SCOTT GERIEN

**DP&F**

DICKENSON, PEATMAN & FOGARTY  
A Professional Law Corporation

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