

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

3M COMPANY,

Opposer,

v.

SACHEN CHANDARIA,

Applicant.

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Opposition No.: 91158988

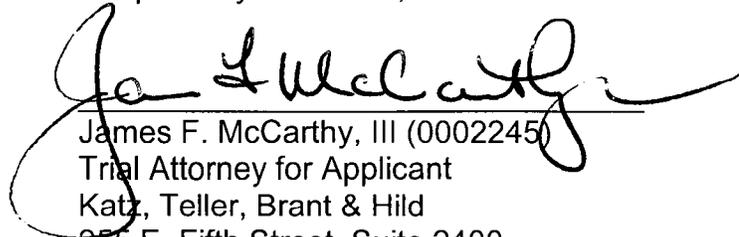
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Serial No.: 76/489,528

**MOTION TO WITHDRAW AS COUNSEL**

James F. McCarthy III, Esq. and Katz, Teller, Brant & Hild (jointly "Counsel") respectfully move this Board to withdraw as counsel for Applicant Sachen Chandaria ("Chandaria"). Irreconcilable differences have arisen between Counsel and Chandaria precluding Counsel from continuing to represent Chandaria in this litigation. Counsel must withdraw for their own best interest and the best interest of the client.

Respectfully submitted,



James F. McCarthy, III (0002245)  
Trial Attorney for Applicant  
Katz, Teller, Brant & Hild  
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**MEMORANDUM**

Counsel has continuously and repeatedly worked with Chandaria to effectively represent it throughout this case. However, recent developments have limited counsel's effective representation and continuing representation of Chandaria. Regrettably, counsel must request that the Board grant it permission to withdraw and permit Chandaria to secure new counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James F. McCarthy, III". The signature is fluid and cursive, with a large loop at the end.

James F. McCarthy, III (0002245)  
Trial Attorney for Applicant  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Motion to Withdraw as Counsel was served via regular U.S. Mail on the 26<sup>th</sup> day of October, 2004 upon Scott W. Johnston, Esq., Merchant & Gould P.C., 3200 IDS Center, 80 South Eighth Street, Minneapolis, Minnesota 55402.

  
James F. McCarthy III

KTBH:618942.1