

ESTTA Tracking number: **ESTTA49415**

Filing date: **10/19/2005**

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

<b>Proceeding</b>	91164500
<b>Party</b>	Plaintiff Puppuccino, Inc. ,
<b>Correspondence Address</b>	Leslie C. Adams The Intellect Law Group 2400 SE Federal Highway, Suite 340 Stuart, FL 34994
<b>Submission</b>	Request to Withdraw as Attorney
<b>Filer's Name</b>	Leslie C. Adams
<b>Filer's e-mail</b>	intl@intellectlawgroup.com, ladams@intellectlawgroup.com
<b>Signature</b>	/lca/
<b>Date</b>	10/19/2005
<b>Attachments</b>	RequestToWithdraw.PDF ( 5 pages )

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

In the Matter of Application Serial Nos. 78/324,909; 78/324,924; 78/315,477  
Marks: CATPUCCINO; CHIRPPUCCINO; PUPPUCCINO

-----X  
PUPPUCCINO, INC., :  
 :  
 :  
 Opposer, :  
 :  
 :  
 - against - :  
 :  
 :  
 LYNETTE M. THORLAKSON, :  
 :  
 :  
 Applicant. :  
-----X

Opposition Nos. 91164500; 91164705

**REQUEST TO WITHDRAW FROM EMPLOYMENT AS COUNSEL FOR  
OPPOSER IN OPPOSITION PROCEEDING NOS. 91164500 & 91164705**

Counsel for the Opposer Puppuccino, Inc., hereby files this Request to Withdraw From Employment as Counsel for Opposer in Opposition Proceeding Nos. 91164500 and 91164705 and in support states as follows:

Pursuant to 37 CFR §§ 2.19(b), 10.40(a) & (c)(1)(vi), The Intellect Law Group and the firm's counsel of record Leslie C. Adams, respectfully apply for permission to withdraw as counsel for the Opposer on the grounds that the client has failed to pay one or more bills in excess of \$6,000 rendered by the practitioner for an unreasonable period of time. 37 CFR §10.40(c)(1)(vi).

Opposer's counsel has complied with the requirements of 37 CFR § 10.40(a) by giving due notice to the client of the firm's intentions to withdraw and advising the client to seek employment of another practitioner before filing this request; see correspondence to client attached hereto as Exhibit A. The correspondence was sent to the client on

October 7, 2005 and counsel has not heard from the client at all since September 30, 2005. Over the course of representing the client, the firm has further provided the client with copies of all papers that the client is entitled to with the exception of discovery documents and responses from the opposing side, which were provided to counsel in confidence pursuant to the stipulated protective agreement. Counsel will assist in anyway necessary to transfer those confidential documents to new counsel once a protective order is in place.

WHEREFORE, the undersigned counsel respectfully requests that the Board grant The Intellect Law Group and the firm's counsel of record Leslie C. Adams permission to withdraw from employment as counsel for Opposer in Opposition Proceeding Nos. 91164500 and 91164705.

Dated:           Stuart, Florida  
                  October 19, 2005

Respectfully submitted,

THE INTELLECT LAW GROUP

By:                   /lca/                    
          Leslie C. Adams  
Attorneys for Opposer  
2400 SE Federal Highway, Suite 340  
Stuart, Florida 34994  
Tel. 772.283.8224  
Fax. 815.642.9565  
E-mail. [intlaw@intellectlawgroup.com](mailto:intlaw@intellectlawgroup.com)

***CERTIFICATE OF SERVICE***

I hereby certify that a true and complete copy of the foregoing Request to Withdraw From Employment as Counsel for Opposer in Opposition Proceeding Nos. 91164500 and 91164705 has been served on the following by mailing said copy on this 19th day of October 2005, via First Class Mail, postage prepaid to:

Mr. Richard Alaniz, Esq.  
Black Lowe & Graham  
701 Fifth Ave, Suite 4800  
Seattle, Washington 98104

Mrs. Tanya Shipman  
3 SW Flagler Avenue  
Stuart, Florida 34994

By:                     /lea/                      
                    Leslie C. Adams

# **EXHIBIT A**

## Joseph S. Beckman

---

**From:** Joseph S. Beckman [jbeckman@IntellectLawGroup.com]  
**Sent:** Friday, October 07, 2005 4:53 PM  
**To:** Tanya Shipman (E-mail)  
**Subject:** Status

Tanya,  
Since a bill for more than \$6000 was sent on July 13, you have paid \$500 towards it. I have already written off more than \$1000 before sending the bill and I've tried not to bill for all my time in the first instance. I had agreed to initially accept \$250 a week towards it until the summer slump was over but, in the past two weeks, have received nothing. In the meantime, working on responding to discovery has taken a few hours of Leslie's time which accounts for most of the \$500, ultimately not reducing the pending bill.

Unfortunately this cannot continue. I need to make a business decision. We are a small business, as you are, and can no more extend \$6000+ in credit than you could afford to allow someone to purchase \$6000+ worth of goods at your store and not pay for it. Although you had agreed to make payments, I don't see that happening, nor do I see the balance being reduced sufficiently to allow us to engage in further work when deadlines approach. To reduce our likelihood of having to extend further credit on this matter we will be withdrawing as counsel immediately. I will provide you with deadlines in the proceeding which will need to be maintained to oppose the trademark registrations and encourage you to look for new counsel.

Best Regards,

Joseph S. Beckman  
Registered U.S. Patent Attorney  
Patent, Trademark & Copyright Law  
Computer, Internet & Technology Law

The Intellect Law Group  
2400 S. Federal Highway, Suite 340  
Stuart, Florida 34994  
Martin/St. Lucie 772-283-8224  
Palm Beach 561-776-9703  
Facsimile 815-642-9565  
intl@IntellectLawGroup.com  
<http://www.IntellectLawGroup.com>