

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

cv

Mailed: September 17, 2009

Opposition No. 91188241

Innocent Skin, Inc.

v.

Morgen Bentsen

**Robert H. Coggins,
Interlocutory Attorney:**

The motion (filed September 14, 2009) to withdraw as opposer's counsel of record in this case is **denied** without prejudice because it fails to comply with the requirements of Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40.

Specifically, the motion does not include the following requirements: (1) a statement that all papers and property that relate to the proceeding and to which the client is entitled have been delivered to the client; and (2) proof of service of the request upon the client and upon every other party to the proceeding. See Patent and Trademark Rule 10.40, 37 CFR § 10.40. *Cf. In re Legendary Inc.*, 26 USPQ2d 1478 (Comm'r 1992). Counsel's statement that it "will make available to [o]pposer its files and records" and the

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inclusion of a "CC" line to opposer in the motion are not sufficient to comport with the requirements.

In view thereof, counsel is allowed **thirty days** from the mailing date of this order to submit a motion which complies with Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40.

Except to the extent indicated above, proceedings are **suspended**. The parties will be notified by the Board when proceedings are resumed, and appropriate dates will be rescheduled in due course.