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

Proceeding	91194218
Party	Plaintiff Illumina, Inc.
Correspondence Address	GABRIELLE A HOLLEY HOLLEY & MENKER PA PO BOX 96 SOLANA BEACH, CA 92075 UNITED STATES jmenker@holleymenker.com
Submission	Request to Withdraw as Attorney
Filer's Name	James R. Menker
Filer's e-mail	jmenker@holleymenker.com, eastdocket@holleymenker.com
Signature	/jmenker/
Date	03/24/2014
Attachments	20140324 REQUEST TO WITHDRAW AS COUNSEL FOR PETITIONER 91194218 (parent).pdf(514858 bytes)

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

Illumina, Inc., Petitioner-Opposer, v. Meridian Bioscience, Inc., Respondent-Applicant.	Opposition No. 91194218 (parent) Serial No. 77768176 Mark: LLUMIPRO Opposition No. 91194219 Serial No. 77775316 Mark: ILLUMIPRO-10 Cancellation No. 92053479 Registration No. 3887164 Mark: ILLUMIGENE Cancellation No. 92053482 Registration No. 3868081 Mark: illumigene Molecular Simplified

REQUEST TO WITHDRAW AS COUNSEL FOR PETITIONER-OPPOSER

Pursuant to the provisions of TMBP Rules 116.02 and 513.01 and 37 CFR §§ 2.19(b) and 10.40, James R. Menker and Holley & Menker, P.A. hereby request to withdraw as counsel for Petitioner-Opposer Illumina, Inc. ("Illumina"), in the referenced consolidated opposition and cancellation proceedings.

The relevant provisions of 37 CFR § 10.40 (Withdrawal from employment) are as follows:

> (c) Permissive withdrawal. If paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matters pending before the Office unless such request or such withdrawal is because:
>
> (5) The petitioner's client knowingly and freely assents to termination of the employment.

The undersigned has notified Illumina of their desire to withdraw from employment and, upon notice thereof, Illumina has consented to the termination of employment and to the filing of the present request to withdraw as counsel with the Board. The undersigned has allowed sufficient time so that Illumina may retain employment of another practitioner to represent it in the referenced proceedings. The undersigned has mailed all papers that relate to the referenced proceedings to Illumina. As a result of the above, Illumina will not be prejudiced by counsel's request to withdraw from employment.

The undersigned therefore submits, in good faith, that he and the firm of Holley & Menker, P.A. have good cause to withdraw as counsel for Illumina in the referenced proceedings.

Under the circumstances, James R. Menker and Holley & Menker, P.A., respectfully submit that this request to withdraw as counsel for Illumina be granted and that Illumina be given a reasonable period of time in which to appoint new counsel before the referenced proceedings are resumed.

Respectfully submitted,

Illumina, Inc.

By: _____
James R. Menker

Opposer's Attorneys

HOLLEY & MENKER, PA
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Atlantic Beach, Florida 32233
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this the 24th day of March 2014, a true and correct copy of the foregoing Request for Withdrawal as Counsel was sent by first class mail to Respondent-Applicant's counsel:

J Michael Hurst
Keating Muething & Klekamp
1 E 4th St, Suite 1400
Cincinnati, OH 45202-3752
United States

and to Opposer:

Illumina, Inc.
5200 Illumina Way
San Diego, California 92122
United States

Laura K. Greer