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Filing date: **09/30/2010**

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

| | |
|---------------------------|--|
| Proceeding | 91196073 |
| Party | Plaintiff Pasquale & Denise |
| Correspondence Address | JOSHUA A. STOCKWELL BARLOW JOSEPHS & HOLMES, LTD 101 DYER STREET, 5TH FLOOR PROVIDENCE, RI 02903 UNITED STATES jas@barjos.com |
| Submission | Request to Withdraw as Attorney |
| Filer's Name | Joshua A. Stockwell |
| Filer's e-mail | jas@barjos.com |
| Signature | /Joshua A. Stockwell/ |
| Date | 09/30/2010 |
| Attachments | Oppo Withdraw 2.pdf (2 pages)(1229697 bytes) |

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

In the Matter of Application Serial No. 77922054
For the Mark: DIRTY BEATS

PASQUALE & DENISE,

Opposer,

v.

DIRTY BEATS, LLC,

Applicant.

Opposition No. 91196073

**CORRECTED REQUEST FOR PERMISSION TO
WITHDRAW AS ATTORNEY OF RECORD**

Pursuant to 37 C.F.R. § 2.19(b), I, Joshua A. Stockwell, hereby request permission to withdraw as attorney herein. The undersigned is empowered to request withdrawal of co-counsels, Daniel J. Holmander, Mark E. Tetreault, Cheryl A. Clarkin, David R. Josephs, and Stephen J. Holmes also and hereby requests permission for their withdrawal as well.

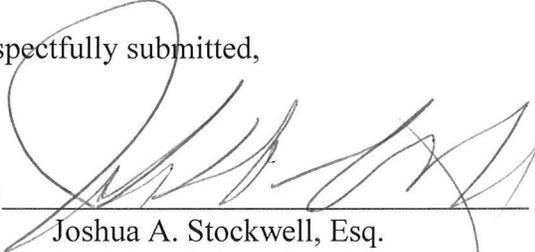
On September 22, 2010, I informed Opposer of our intention to withdraw as attorney of record. Pursuant to instructions I received from Opposer, I transferred all papers and property that relate to the proceeding and to which Opposer is entitled have been delivered to the Opposer. Opposer has not paid any fees in advance and does not have a balance of fees for which an unearned part exists.

The undersigned requests mandatory withdrawal under 37 C.F.R. § 10.40(b)(2), or alternatively permissive withdrawal under 37 C.F.R. § 10.40(c)(1)(vi) . Specifically, Opposer has refused to execute a written fee agreement with counsel. Although not specifically required

under Patent and Trademark Office Code of Professional Responsibility, a written fee agreement is required under Rule 1.5(b) of the Rhode Island Rules of Professional Conduct either before or within a reasonable time after undertaking the representation. The undersigned has now presented Opposer with a fee agreement three times. To date, Opposer has refused to execute a fee agreement or provide any explanation why Opposer has declined to do so.

Respectfully submitted,

By:



Joshua A. Stockwell, Esq.
Daniel J. Holmander, Esq.
Mark E. Tetreault, Esq.
Cheryl A. Clarkin, Esq.
David R. Josephs, Esq.
Stephen J. Holmes, Esq.
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101 Dyer St., 5th Floor
Providence, RI 02903

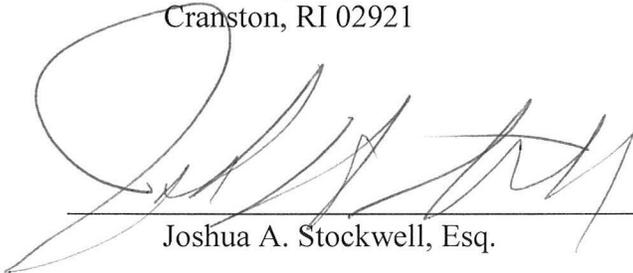
Date: September 30, 2010

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEY OF RECORD was served on counsel for Petitioner and Opposer, on September 30, 2010, by sending the same via First Class Mail, postage prepaid, to:

Janet B. Linn, Esq.
Karl F. Milde, Jr.
Eckert Seaman Cherin & Mellott, LLC
10 Bank Street, Suite 1061
White Plains, NY 10606

Pasquale and Denise DiPippo
117 Derbyshire Drive
Cranston, RI 02921



Joshua A. Stockwell, Esq.