

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

nmt

Mailed: November 30, 2011

Opposition No. 91201016

Dherbs Health Emporium,
Inc., Djehuty Herbaceuticals

v.

Jabir Abdul Akbar

**M. Catherine Faint,
Interlocutory Attorney:**

It has come to the attention of the Board that on September 4, 2011, applicant's attorney filed a request to withdraw as applicant's counsel of record in this case via the TEAS online filing system.¹ However, because this application is subject to the Board's jurisdiction within the context of the above-referenced opposition proceeding, the withdrawal should have been submitted to the Board. See TBMP § 106.01 (3d ed. 2011).

Accordingly, as the request to withdraw as counsel is in compliance with the requirements of Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40, it is granted. Josh Gerben and the Gerben Law Firm, PLLC no longer represent applicant in this proceeding.

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Furthermore, on October 14, 2011, applicant filed an abandonment of its application Serial No. 85253122, with opposer's written consent.

In view thereof, application Serial No. 85253122 stands abandoned, and the opposition is dismissed without prejudice. See Trademark Rule 2.135.

¹ A copy of said request has been placed in both the opposition file and the application file.