

ESTTA Tracking number: **ESTTA684597**

Filing date: **07/20/2015**

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

Proceeding	91203803
Party	Defendant William Vittore
Correspondence Address	TIMOTHY WILLIS 900 G STREET, SUITE 202 SACRAMENTO, CA 95814 UNITED STATES timothy.bruce.willis@gmail.com
Submission	Request to Withdraw as Attorney
Filer's Name	Timothy Willis
Filer's e-mail	timothy.bruce.willis@gmail.com
Signature	/Timothy Willis/
Date	07/20/2015
Attachments	Request Withdrawal.pdf(44108 bytes)

1 Timothy Willis (Cal. SBN 272519)
David Bonilla (Cal. SBN 240612)
2 901 H St., Ste., 620
Sacramento, California 95814
3 Tel: (916) 447-7842
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7 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
8 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
9

10 Ian Dixon
11 Plaintiff

12 vs.

13 William Vittore
14 Defendant

Opposition/
Proceeding No.: 91203803
Serial No.: 85317020
Interlocutory
Attorney: Geoffrey McNutt

Request for Permissive
Withdrawal as Attorney(s) of
Record

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19 Pursuant to 37 C.F.R. §§ 2.19, 10.40, and 11.116, defense
20 counsel requests permission to withdrawal as attorney(s) of
21 record.
22

23 (1) There is ample good cause to honor defense counsel's
24 request for permissive withdrawal.
25

1 Defendant client has authorized defense counsel to withdraw
2 as attorney(s) of record.

3 Defendant client has sought new representation from the Law
4 Office of Danny Brace who made an appearance on May 10, 2013 but
5 who is not listed as the attorney of record.

6 Upon receipt of communications from the Trademark Trial and
7 Appeal Board, including the April 17, 2013 and June 27, 2014
8 Orders, defense counsel dutifully notified defendant client of
9 the need for timely action and response to the Trademark Trial
10 and Appeal Board. Defense counsel also notified the Law Office
11 of Danny Brace.
12

13 Defense counsel, who continues to receive electronic
14 communications, has filed a response to the July 15, 2015
15 Trademark Trial and Appeal Board on behalf of defendant client.

16 Defense counsel believes that continued representation of
17 defendant client despite the above efforts would be unduly
18 financially burdensome. Defense counsel Timothy Willis has
19 secured employment elsewhere at a law firm that prohibits
20 unapproved representation.

21 Defendant client's current address and contact information
22 are as follows:

23 1511 G St., #6
24 Sacramento, CA 95814
25

1 Defense counsel's current address and contact information
2 is as follows:

3 Law Office of David Bonilla
4 901 H St., Ste. 620
5 Sacramento, CA 95814
6 Tel: (916) 447-7842

7 Furthermore, defense counsel believes in good faith that
8 the Trademark Trial and Appeal Board will find could cause to
9 grant the request for permission to withdrawal.
10

11 (2) Defense counsel notified defendant of its intent to
12 withdraw in 2012 upon receipt of substitution of attorney in the
13 civil action. Defense counsel was of the understanding that the
14 Law Office of Danny Brace would file a notice of representation
15 or Substitution of Attorney with the Trademark Trial and Appeal
16 Board.

17 Having been notified that no such action occurred, defense
18 counsel notified defendant of its intent to withdrawal from all
19 proceedings on January 28, 2015.

20 Defense counsel recommended several attorneys in Sacramento
21 County as a replacement. It is defense counsel's understanding
22 that the Law Office of Danny Brace was to take over
23 representation in the Trademark Trial and Appeal Board
24 proceedings as noted in its May 10, 2013 response.
25

1 (3) All papers and property related to the proceedings at
2 the Trademark Trial and Appeal Board have been returned to
3 defendant and his representative.

4 (4) Any unearned fee paid in advance by defendant has been
5 returned to defendant. Defense counsel's payment was limited to
6 non-litigated proceedings only and those duties have been
7 fulfilled.

8 (5) A proof of service of this request on Jly 20, 2015 is
9 attached and also separately filed with the Trademark Trial and
10 Appeal Board.

11 Defense counsel respectfully requests permission to
12 withdraw as attorney of record.
13

14
15 Dated: 7/20/15

Respectfully Submitted,

16 /Timothy Willis/

17 Attorney for William Vittore

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19 /David Bonilla/

20 Attorney for William Vittore
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CERTIFICATE OF SERVICE

I declare under penalty of perjury as follows: I am employed in the County of Sacramento, State of California. I am over the age of 18 and not a party to the within action. My business address is 901 H St., Ste. 620, Sacramento, CA 95814.

On July 20, 2015, I served the following document(s) described below via U.S. mail by placing a true and correct copy in an envelope addressed to each person identified below except as otherwise indicated. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Sacramento, California in the ordinary course of business.

Documents Served:

Notice of Change of Address
Response to 7/15/15 Order
Request for Permissive Withdrawal as Attorney of Record

Persons Served:

William Vittore (mail)
1511 G St., #6
Sacramento, CA 95814

Majique Ladnier (mail and email)
101 Barnhart Circle
Sacramento, CA 95835
majiqueladnier@yahoo.com
s@abwholding.com

Trademark Trial and Appeal Board (mail and ESTTA)
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, VA 22313-1451

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: 7/20/2015

/Timothy Willis/
Timothy Willis