

ESTTA Tracking number: **ESTTA774402**

Filing date: **10/03/2016**

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

Proceeding	91203803
Party	Plaintiff Ian Dixon
Correspondence Address	MAJIQUE LADNIER 2377 GOLD MEADOW WAY, SUITE 290 GOLD RIVER, CA 95670 UNITED STATES majiqueladnier@yahoo.com, s@abwholding.com
Submission	Request to Withdraw as Attorney
Filer's Name	Majique Ladnier
Filer's e-mail	majiqueladnier@yahoo.com
Signature	/Majique Ladnier/
Date	10/03/2016
Attachments	TTAB Req to Withdraw.pdf(74057 bytes) TTAB Rsp 091916 Order.pdf(65018 bytes) TTAB COS 091916.pdf(52884 bytes)

1 Majique Ladnier (SBN 254847)
2 2377 Gold Meadow Way
3 Suite 290
4 Gold River, CA 95670
5 Tel: (619) 865-8148

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

9
10 Ian Dixon,

11 Plaintiff,

12 vs.

14 William Vittore,

15 Defendant.

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

**REQUEST FOR PERMISSIVE
WITHDRAWAL AS ATTORNEY OF
RECORD**

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18 Pursuant to 37 C.F.R. sections 2.19, 10.40, and 11.116, Plaintiff's counsel requests
19 permission to withdraw as attorney of record.

20 There is good cause to approve Plaintiff's counsel's request for permissive withdrawal.

21 (1) Plaintiff has knowingly and freely assented to and fully authorized Plaintiff's
22 counsel's withdrawal as attorney of record.

23 (2) Plaintiff's counsel has taken reasonable steps to avoid foreseeable prejudice to the
24 rights of the Plaintiff and is filing concurrently herewith a response to the September 19, 2016
25 Trademark Trial and Appeal Board Order on behalf of Plaintiff.

26 (3) Plaintiff has been given multiple timely notices that Plaintiff's counsel will be
27 withdrawing as attorney of record, the most recent of which was given in May 2016, and Plaintiff
28

1 freely and knowingly assented to the withdrawal. Plaintiff's counsel allowed time for
2 employment of another practitioner. Plaintiff is in possession of all items to which he is entitled
3 as it relates to this matter. No unearned fees were paid to Plaintiff's counsel.

4 (4) Furthermore, Plaintiff's counsel believes that continued representation of Plaintiff
5 would be unduly financially burdensome. Plaintiff's counsel is a full-time care provider for her
6 three children and currently lives most of the year in New York, New York (she still receives
7 mail at the address contained in the heading herein) and therefore, would be substantially and
8 unduly financially and otherwise burdened by continued employment as attorney of record.

9 Plaintiff's current address and contact information are as follows:

10 5800 Villa Rosa Way

11 Elk Grove, CA 95758

12 iandixonlss@aol.com

13 Plaintiff's counsel respectfully requests permission to withdraw as attorney of record.

14 Dated: 10/3/2016

Respectfully Submitted,

15 /Majique Ladnier/

16 Attorney for Ian Dixon
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RESPONSE TO 9/19/2016 ORDER

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18 Pursuant to the Trademark Trial and Appeal Board's 9/19/2016 Order, Plaintiff's counsel
19 hereby responds as follows:

20 The civil litigation in Sacramento County remains open. The Court is requiring a prove-up
21 hearing, having rejected Plaintiff's Request for Default Judgment by Court. No prove-up hearing
22 has yet been set.

23 Dated: 10/3/2016

Respectfully Submitted,

/Majique Ladnier/

Attorney for Ian Dixon

1 CERTIFICATE OF SERVICE

2 I declare under penalty of perjury as follows: I am a resident of the State of California,
3 over the age of 18 years, and not a party to the within action. My business address is 2377 Gold
4 Meadow Way, Suite 290, Gold River, CA 95670.

5 On October 3, 2016, I served the following document(s) described below via U.S. mail by
6 placing a true and correct copy in an envelope addressed to each person identified below except
7 as otherwise indicated. I am readily familiar with the firm's practice of collecting and processing
8 correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal
9 Service on the same day with postage thereon fully prepaid at Gold River, California in the
10 ordinary course of business.

11 Documents Served:

12 Request for Permissive Withdrawal As Attorney of Record
13 Response to 9/19/2016 Order

14 Persons Served:

15 William Vittore (mail)
16 1511 G Street, #6
17 Sacramento, California 95814

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

22 Danny D. Brace Jr. (mail)
23 901 H Street, Suite 500
24 Sacramento, CA 95814

25 Ian Dixon (mail)
26 5800 Villa Rosa Way
27 Elk Grove, CA 95758

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

Dated: 10/3/2016

/Cindy Campbell/
Cindy Campbell