

ESTTA Tracking number: **ESTTA586315**

Filing date: **02/10/2014**

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

Proceeding	91214086
Party	Defendant philip melnick
Correspondence Address	Thomas M. Wilentz Thomas M. Wilentz, Attorney at Law, PLLC 4th Floor 75 South Broadway White Plains, NY 10601  philipmelnick@aol.com
Submission	Request to Withdraw as Attorney
Filer's Name	Thomas M. Wilentz
Filer's e-mail	twilentz@tmwlaw.com
Signature	/tmw/
Date	02/10/2014
Attachments	Notice of Withdrawal as attorney Opposition No. 9121086.pdf(30714 bytes )

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

STARBUZZ TOBACCO, INC.,

Opposer,

-against-

PHILLIP MELNICK,

Applicant.

Opposition No.  
91214086

REQUEST FOR WITHDRAWAL AS ATTORNEY

The undersigned attorney, Thomas M. Wilentz, Attorney at Law, PLLC, hereby requests withdrawal from this proceeding pursuant to TBMP 116.02; 37 CFR §10.40(a); 37 C.F.R. §10.40(c)(1)(iv); 37 C.F.R. §10.40(c)(1)(vi) on the following grounds:

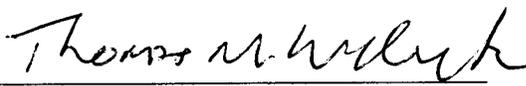
1. Applicant has made it unreasonably difficult for the undersigned to carry out the representation effectively by failing to give instructions.
2. Applicant has declined to retain the undersigned to represent the applicant in this opposition proceeding, and has filed papers in this proceeding *pro se*.

The undersigned has taken reasonable steps to avoid prejudice to the Applicant by informing Applicant of the withdrawal and forwarding all papers relating to this matter to the Applicant's address by first class mail.

Respectfully submitted,

THOMAS M. WILENTZ,  
ATTORNEY AT LAW, PLLC

Dated: Scarsdale, New York  
February 10, 2014

By   
Thomas M. Wilentz  
75 South Broadway, 4<sup>th</sup> Floor  
White Plains, NY 10601  
(914) 723-0394

CERTIFICATE OF SERVICE

I hereby certify that I have this date served counsel for all parties to this action with a copy of the foregoing Request for Withdrawal as Attorney by depositing the same by first-class mail in an envelope addressed to:

Martin Jerisat  
Starbuzz Tobacco, Inc.  
10871 Forbes Ave  
Garden Grove, CA 92843

Scarsdale, New York  
February 10, 2014

  
Thomas M. Wilentz

I hereby certify that I have this date served the Applicant PHILLIP MELNICK with a copy of the foregoing Request for Withdrawal as Attorney by depositing the same by first-class mail in an envelope addressed to:

Phillip Melnick  
PO Box 131822  
Staten Island, NY 10313

Scarsdale, New York  
February 10, 2014

  
Thomas M. Wilentz