

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Tdc

Mailed: October 31, 2014

Opposition No. 91218468

Whole Foods Market IP, L.P.

v.

Ali Baba Holdings, LLC

Tyrone Craven, Lead Paralegal Specialist:

The motion (filed October 17, 2014) to withdraw as counsel of record in this proceeding is hereby denied without prejudice because it fails to comply with the requirements of Trademark Rules 2.19(b) and Patent and Trademark Rule 11.116.¹

Specifically, the motion does not include one or more of the following requirements: (1) a specification of the basis for the request; (2) a statement that the practitioner has notified the client of his or her desire to withdraw from employment, and has allowed time for employment of another practitioner; (3) a statement that all documents and property that relate to the proceeding and to which the client is entitled have been delivered to the client; (4) if any part of a fee paid in advance has not been earned, a statement that the unearned part has been refunded; and (5) proof of service of the request upon the client and upon

every other party to the proceeding. See Trademark Rule 2.19(b). Cf. *In re Legendary Inc.*, 26 USPQ2d 1478 (Comm'r 1992).

In view thereof, counsel is allowed until **thirty days** from the mailing date of this order to submit a motion which complies with Trademark Rules 2.19(b) and Patent and Trademark Rule 11.116, as indicated above.

Proceedings are otherwise suspended pending response to this order. The parties will be notified by the Board when proceedings are resumed, and dates will be reset, as appropriate.

A copy of this order has been sent to all persons listed below.

cc:

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¹ Applicant's assented motion to extend time filed October 23, 2014 is noted.