

ESTTA Tracking number: **ESTTA29444**

Filing date: **03/30/2005**

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

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| Proceeding | 92040135 |
| Party | Plaintiff KCS - MIAMI, INC 1050 EAST 23RD STREET HIALEAH, FL 33013 |
| Correspondence Address | JESUS SANCHELIMA SANCHELIMA & ASSOCIATES, P.A. 235 S.W. LE JEUNE ROAD MIAMI, FL 33134 |
| Submission | Request to Withdraw as Attorney |
| Filer's Name | Jesus Sanchelima, Esq. |
| Filer's e-mail | legal@sanchelima.com |
| Signature | /Jesus Sanchelima/ |
| Date | 03/30/2005 |
| Attachments | Withdrawal.pdf (2 pages) |

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

In the Matter of Registration No.: 1,934,369

Registration date: November 7, 1995

For the Mark: Barbara Gerwit

For: **clothing, namely, shirts, blouses, T-shirts, skirts, pants, shorts, jackets, cardigans, sweaters, tops, bottoms.**

KCS-Miami, Inc.

Opposer,

Opposition No.: 92040135

vs.

Barbara Gerwit,

Applicant.

**REQUEST FOR PERMISSION TO WITHDRAW
AS ATTORNEY OF RECORD**

COMES NOW the undersigned, and requests this agency to enter an order allowing him to withdraw as Attorney of Record for Opposer in the above mentioned opposition proceedings, filed by Opposer, KCS-Miami, Inc. and as grounds therefore states that a conflict exists and that it would be unethical for him to effectively continue the representation of Opposer. The undersigned has not been paid for these services in advanced.

Therefore, pursuant to TMEP Sec. 602.03(a); and 37 CFR Sec. 2.19(b), the undersigned prays for permission to withdraw as attorney of record and removal of his name and address from all documents and/or communications that may arise from these proceedings.

The undersigned has delivered to the Opposer copies of all papers in his files concerning these proceedings.

The undersigned has notified the Opposer, KCS-Miami, Inc., of his desire to withdraw from employment and has allowed sufficient time for employment of another practitioner.

The undersigned does not have to return any unearned fees to Opposer.

The undersigned requests to withdraw as domestic representative as well.

The undersigned also requests that the Board send future correspondence to the following address:

**KCS-Miami, Inc.
2185A East 10th Avenue
Hialeah, Florida 33016.**

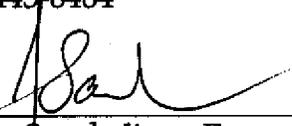
The undersigned has taken all reasonable steps to avoid foreseeable prejudice to the rights of the client.

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to, Jorge Espinoza, KLUGER, PERETZ, KAPLAN & BERLIN, P.L., Miami Center, Seventeenth Floor, 201 Biscayne Boulevard, Miami, FL 33131, KCS-Miami, Inc., 2185A East 10th Avenue, Hialeah, Florida 33013 this 30th day of March, 2005.

Respectfully submitted,

SANCHELIMA & ASSOCIATES, P.A.
235 S.W. Le Jeune Road
Miami, Florida 33134-1762
Tel.: (305) 447-1617
Fax: (305) 445-8484

By



Jesus Sanchelima, Esq.