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

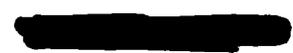
In the Matter of:
Trademark Registration No. 2,375,219
For: CUZCATLAN COLA CHAMPAGNE and Design
International Class: 32
and
Trademark Registration No. 2,396,051
For: CUZCATLAN and Design
International Class: 32
and
Trademark Registration No. 2,423,027
For: CUZCATLAN and Design
International Class: 32
and
Trademark Registration No. 2,433,109
For: CUZCATLAN ROJITA and Design
International Class: 32
and
Trademark Registration No. 2,463,527
For: CUZCATLAN COLA CHAMPAGNE and Design
International Class: 32

GEORGE CONTOS and NEIL PRYOR)
Petitioners)
vs.) Cancellation No. 92043017
C.B.I. INTERNATIONAL, INC.)
F/K/A CUZCATLAN BEVERAGES, INC.)
Registrant.)
_____)

5796920

RUDEN, MCCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.'S,
MOTION TO WITHDRAW AS COUNSEL

Pursuant to 37 CFR §2.19 and 37 CFR §10.40, the law firm of Ruden, McClosky, Smith,
Schuster & Russell, P.A. (the "Firm"), hereby moves to withdraw as counsel for Petitioners,



GEORGE CONTOS and NEIL PRYOR (collectively, "Petitioners"), in this proceeding and states as follows:

1. The undersigned Firm was retained to represent Petitioners, Mr. Contos and Mr. Pryor, in this matter.

2. Petitioners were clients of a former partner of this Firm, Robert Schwartz, who left the Firm in February 2005 and has not expressed an interest in taking over the handling of this matter.

3. Irreconcilable differences have developed between this Firm and Petitioners. As a result of these differences, this Firm cannot continue to represent Petitioners in this matter under the Ethics Rules of the Florida Bar.

4. Pursuant to 37 C.F.R. 10.40(c)(1)(iv), Petitioners' conduct has made it "unreasonably difficult to the [attorney] to carry out the employment effectively." Specifically, the Firm has been unable to contact Petitioners for several months. The Firm sent Petitioners the Board's April 21, 2005 Order, along with correspondence asking them how they would like to proceed, but Petitioners have not responded. Therefore, the Firm cannot even determine whether Petitioners are still interested in pursuing this matter.

5. Additionally, pursuant to 10.40(c)(1)(vi), undersigned counsel should be permitted to withdraw because Petitioners have failed to pay the Firm's past due invoices.

6. The Firm notified Petitioners by letter to their last known address advising them of its intent to withdraw, and providing them a reasonable time to respond; however, they have not done so.

7. Simultaneous with the filing of this Motion, the Firm is mailing to Petitioners (at their last known address) all papers relating to this matter.

8. No unearned attorney's fees have been paid to the Firm by Petitioners.

9. This Motion is not being filed as a subterfuge to obtain an extension or reopening of time that Petitioners would not otherwise be entitled to. In fact, the Board's April 21, 2005 Order reopened Petitioners' testimony period so that it closes August 15, 2005.

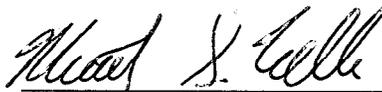
10. This matter is not set for an administrative hearing and there will be no prejudice to any party by the withdrawal of the undersigned.

11. If the Board grants this Motion, the Firm requests it afford Petitioners a reasonable period of time to engage a new attorney or representative.

WHEREFORE, the law firm of Ruden, McClosky, Smith, Schuster & Russell, P.A., respectfully requests that this Board enter an Order permitting counsel to withdraw as attorneys for Petitioners, Mr. Contos and Mr. Pryor, in this proceeding, and relieving the Firm of any further responsibility for the representation of Petitioners, Mr. Contos and Mr. Pryor, in this matter, afford Petitioners a reasonable period of time to engage a new attorney or representative, and grant such other and further relief as this Board deems just, equitable and proper.

Dated: May 18, 2005

Respectfully submitted,



Matthew S. Nelles, Esq.
RUDEN McCLOSKEY SMITH
SCHUSTER & RUSSELL P.A.
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Attorney for Petitioners

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" mailing label number EL577421754US

Date of Deposit May 19, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Trademarks, Attn: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451.

MATTHEW S. NELLES (Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



MATTHEW S. NELLES, ESQ.

CERTIFICATE OF SERVICE

I HEREBY certify that a true and correct copy of this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Cheryl Meide, Esq., Meide Law Firm, P.A., Attorney for Registrant, 6622 Southpoint Drive South, Suite 150, Jacksonville, Florida 32216 on this 19th day of May, 2005.



MATTHEW S. NELLES, ESQ.