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Filing date: **12/01/2011**

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

Proceeding	92051140
Party	Plaintiff Leonid Nahshin
Correspondence Address	VERA CHERNOBYLSKY LAW OFFICES OF VERA CHERNOBYLSKY 4623 DUNMAN AVENUE WOODLAND HILLS, CA 91364 UNITED STATES vchernob@yahoo.com
Submission	Request to Withdraw as Attorney
Filer's Name	Vera Chernobytsky
Filer's e-mail	vchernob@yahoo.com
Signature	/Vera Chernobytsky/
Date	12/01/2011
Attachments	REQUEST TO WITHDRAW FROM REPRESENTATION.pdf (5 pages)(110082 bytes)

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD**

Leonid Nahshin,
Plaintiff-Petitioner

v.

Product Source International, LLC
Defendant-Respondent

Petition No.: 92/051,140
Registration No.: 3,350,041
Mark: NIC-OUT
Interlocutory Attorney:
Ann Linnechan, Esq.

REQUEST TO WITHDRAW FROM REPRESENTATION

Comes now Vera Chernobylsky, attorney of record for Plaintiff, Leonid Nahshin in this cancellation procedure and respectfully request This Honorable Court issue an order permitting my withdrawal from representing Plaintiff pursuant to the provisions of USPTO Ethical Rule 10.40, 37 C.F.R. § 10.40.

STATEMENT OF FACTS

I believe that my client, Leonid Nahshin has engaged in fraudulent conduct before the USPTO, and my efforts to call upon the client to rectify the fraud have been refused.

Mr. Nahshin's conduct toward me is disrespectful and insulting.

Further, Mr. Nahshin insists that I engage in conduct that is contrary to my judgment and advice.

The undersigned has given her client due written notice of this intention to withdraw prior to submitting this request to the Court, as shown by the attached notification certificate. In accordance therewith, the undersigned certifies Plaintiff, Mr. Nahshin is further informed under the above Rule:

- a. The Trademark Trial and Appeal Board retains jurisdiction of this matter;
- b. Plaintiff has the burden of keeping the Court informed of his current address for the service of notices, pleadings, or other papers;

- c. Plaintiff has the obligation to prepare to go forward with his case or to hire other counsel to handle his case;
- d. If Plaintiff fails or refuse to meet these obligations, he may suffer adverse consequences including the entry of judgment against him.
- e. Plaintiffs must file any objections to this Request to Withdraw with this Court no later than ten days from the date of filing of this request.

I gave due written notice to Mr. Nahshin on November 30, 2011 that I am withdrawing from representing him in this procedure. Next document is due in this case is trial brief, which is due in 60 days after December 22, 2011; therefore Mr. Nahshin has more than two months since November 30, 2011 to find substitute representative.

I am ready to deliver to Mr. Nahshin all papers and property in the attorney's file concerning this procedure upon his request.

No fees were paid in advance that remains unearned.

I notified Mr. Nahshin of any responses that may be due and the deadline for response.

There is no compelling reason to require the undersigned to continue to represent Plaintiff and to do so would not be in Plaintiff's best interest. Granting my request will not work an injustice, but will be in the best interest of the Plaintiff. This is not a situation where the Plaintiff would be prejudiced by the withdrawal of present counsel and the appointment of a new attorney.

Therefore, the undersigned Vera Chernobylsky respectfully request that this Honorable Court permitting Vera Chernobylsky to withdraw as attorney of record for Plaintiff, Mr. Nahshin in this proceeding.

I declare under penalty of perjury under the United States Federal Laws that the foregoing is true and correct.

DATED: December 1, 2011

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read "V. Chernobylsky", written over a horizontal line.

Vera Chernobylsky, Esq.

Attorney of Record for Leonid Nahshin

LAW OFFICES OF VERA CHERNOBYLSKY

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

Leonid Nahshin,
Plaintiff-Petitioner

v.

Product Source International, LLC
Defendant-Respondent

Petition No.: 92/051,140
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Mark: NIC-OUT
Interlocutory Attorney:
Ann Linnechan, Esq.

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CERTIFICATE OF SERVICE

I HERBEY CERTIFY that a true and accurate copy of the Request to Withdraw from Representation was submitted, this 1 day of December, 2011, to the following via Email and first-class U.S. Mail, postage pre-paid:

Anthony J. DiMarino
A.J. DiMarino P.C.
Fax: 856.853.0055
57 Euclid Street, Suite A
Woodbury, NJ 08096
United States



Vera Chernobylsky, Esq.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board**

In the matter of U.S. Registration 3,350,041,
For the mark NIC OUT,
Registered on the Principal Register on December 4, 2007.

Leonid Nahshin,	:	
	:	
Petitioner,	:	
	:	
vs.	:	Petition No. 92051140
	:	
Product Source International, LLC,	:	
	:	
Registrant.	:	

CERTIFICATE OF SERVICE

I HERBEY CERTIFY that a true and accurate copy of the Request to Withdraw from Representation was submitted, this 30 day of November, 2011, to the following via Email as was established service between attorney, Vera Chernobylsky and Mr. L. Nahshin (outside of United States client) in this procedure:

Mr. Leonid Nahshin
Email:
kiev65@gmail.com



Vera Chernobylsky, Esq.