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Filing date: **09/17/2013**

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

Proceeding	92057049
Party	Defendant Pinhas Assouline and Sandra Malek
Correspondence Address	ERIK M PELTON ERIK M PELTON & ASSOCIATES PLLC PO BOX 100637 ARLINGTON, VA 22210 UNITED STATES uspto@tm4smallbiz.com
Submission	Request to Withdraw as Attorney
Filer's Name	Erik M. Pelton
Filer's e-mail	uspto@tm4smallbiz.com
Signature	/ErikMPelton/
Date	09/17/2013
Attachments	2013-09-17 EGO Motion for Withdrawal of Counsel - FINAL.pdf(58993 bytes)

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

Joyetech (Changzhou) Electronics Co., Ltd.
Petitioner,

v.

Pinhas Assouline and Sandra Malek,
Respondents.

Cancellation No. 92057049

Registration No. 3283706

Mark:

EGO

REQUEST FOR LEAVE TO WITHDRAW AS ATTORNEY FOR RESPONDENTS

Pursuant to Trademark Rules 2.19(a) and 11.116(a)(3), 37 CFR §§ 2.19(a), 11.116(a)(3), and Section 513.01 of the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”), Erik M. Pelton and the law firm of Erik M. Pelton & Associates, PLLC (“EMP&A”), hereby respectfully request that the Board grant leave to withdraw the appearances of Mr. Pelton, and all other lawyers of EMP&A who have appeared herein, as attorney for Respondents Pinhas Assouline and Sandra Malek (“Respondents”). In support of the requested relief, Mr. Pelton states as follows:

1. Respondents have expressly terminated EMP&A’s representation of Respondents in this and all other matters as of September 12, 2013. Pursuant to Trademark Rule 11.116(a)(3), the practitioner has been discharged by the client and must withdraw from representation. Respondents will decide whether to retain new counsel to represent it for the remainder of this proceeding.

2. Pursuant to Trademark Rule 2.19(a)(1), Respondents have expressly consented to the revocation of EMP&A’s authority to represent Respondents in this matter, as evidenced by their signatures below.

3. Discovery commenced in this proceeding on June 21, 2013, and is scheduled to close on December 18, 2013. Respondents' Initial Disclosures were served on July 22, 2013. To date, neither party has served discovery in this matter. Counsel has advised Respondents of these upcoming deadlines.

4. Respondents hereby requests that the Board suspend the proceeding pending a ruling on this request, and, if the relief requested herein is granted, to allow Respondents a period of thirty (30) days within which to secure substitute counsel if they desire, in accordance with TBMP § 513.01. As discovery is still open, no material prejudice to Petitioner will result from the brief suspension requested herein.

5. As required by Trademark Rule 11.116(d) and TBMP § 513.01, counsel has taken the following steps to protect the client' s interests:

- (a) Counsel has requested a suspension of proceedings to provide the client with a reasonable period of time to retain substitute counsel if desired;
- (b) Counsel has delivered to client all papers pertaining to this proceeding and has not retained any property to which the client is entitled;
- (c) The client has not paid counsel any fees in advance that have not been earned; and
- (d) As evidenced by the Certificate of Service attached hereto, counsel has served a copy of this request upon Respondents and counsel for Petitioner.

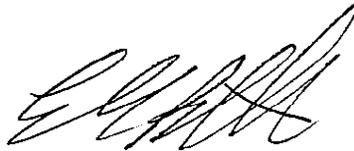
WHEREFORE, Erik M. Pelton and the law firm of Erik M. Pelton & Associates, PLLC, hereby respectfully request that the Board:

(1) Withdraw the appearances of Mr. Pelton and all other lawyers of EMP&A who have appeared herein as attorneys for Respondents Pinhas Assouline and Sandra Malek; and

(2) Suspend proceedings pending a ruling on this request, and if the relief requested herein is granted, to allow Respondents a period of thirty (30) days within which to secure substitute counsel, in accordance with TBMP § 513.01.

Dated this 17th day of September, 2013.

Respectfully submitted,

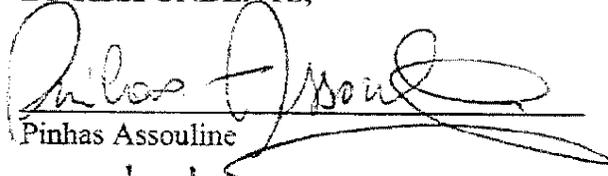


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PO Box 100637
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Attorney for Respondents

BY RESPONDENTS,

Signature:

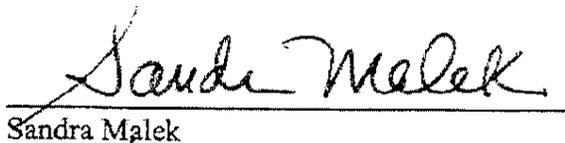


Pinhas Assouline

Date:

9/16/13

Signature:



Sandra Malek

Date:

9/16/13

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this REQUEST FOR LEAVE TO WITHDRAW AS ATTORNEY FOR RESPONDENTS has been served on the following by delivering said copy on September 17, 2013, via First Class Mail, postage prepaid, to counsel for Petitioner at the following address:

COREY K CHO
SALIWANCHIK LLOYD & EISENSCHENK
3107 SW WILLISTON ROAD
GAINESVILLE, FL 32608

and has been served on Respondents by delivering said copy on September 17, 2013, 2013, via First Class Mail postage prepaid, to Respondents at the following address:

PINHAS ASSOULINE
SANDRA MALEK
2182 NE 186 TERRACE
MIAMI, FLORIDA 33179



By: _____
Erik M. Pelton, Esq.