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

Proceeding	92058763
Party	Defendant Maria Mandarino and Eugene Mandarino
Correspondence Address	JOSEPH T JASPER HANLEY FLIGHT & ZIMMERMAN LLC 150 S WACKER DRIVE , SUITE 2100 CHICAGO, IL 60606-4202 UNITED STATES jjasper@hfzlaw.com
Submission	Request to Withdraw as Attorney
Filer's Name	Joseph T. Jasper
Filer's e-mail	jjasper@hfzlaw.com
Signature	/Joseph T. Jasper/
Date	03/19/2014
Attachments	165.10002 Req Withdrawal 19Mar2014.pdf(76445 bytes )

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

JOHN WAYNE ENTERPRISES, LLC

Petitioner,

vs.

EUGENE AND MARIA MANDARINO

Respondents

Cancellation No. 92058763

WILD GOOSE CAFE

Reg. No. 3539584

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**MOTION TO WITHDRAW AS REPRESENTATIVE**

The attorney-client relationship between the undersigned and Respondents, Maria Mandarino and Eugene Mandarino, the owners of U.S. Trademark Registration No. 3,539,584 has ended, and the undersigned respectfully requests that the Board grant this Motion and allow the undersigned to withdraw as representative pursuant to rules 2.19 and 10.40.

Prior to the current dispute, the undersigned's last contact with the Respondents was four years ago. Since the beginning of this dispute, the undersigned has attempted, largely unsuccessfully, to communicate with the Respondents. The undersigned contacted the Respondents in January 2014 to inform them that the Petitioner sought a co-existence agreement. The Respondents did not respond. On March 3, 2014, the undersigned wrote to the Respondents and informed them of the present proceedings, the deadline to answer, that the undersigned intended to withdraw as counsel and that new counsel should be engaged. No response was received. Between March 4, 2014 and March 17, 2014, the undersigned made several attempts via telephone and in writing to contact the Respondents regarding this matter. Despite multiple requests by the undersigned for information from the Respondents, the Respondents have only once responded with an email on March 5, 2014 that stated that the Respondents were meeting with new counsel. All communication attempts since then have gone unanswered.

The undersigned cannot effectively represent a client that does not communicate. In addition, the undersigned's requests for a retainer for legal services has not been fulfilled and has been effectively ignored.

The undersigned has given due notice to the Respondents to engage new counsel and have new counsel enter an appearance in this proceeding to discharge the undersigned.

The undersigned advised the Respondents that the deadline to Answer is April 9, 2014. Withdrawal of the undersigned will not prejudice the Respondents as their search for new counsel began as early as four days after the filing of the present proceedings.

The undersigned has provided the Respondents with their file including all papers related to this proceeding. Also, the undersigned provided the Respondents advance notice that this withdrawal request would be filed.

The lack of communication from the Respondents renders it unreasonably difficult for the undersigned to effectively carry out representation of the Respondents. The undersigned also believes in good faith that the Board will find other good cause for withdrawal considering that the Respondents' lack of engagement makes basic fact gathering and defense strategy development very difficult, if not impossible.

Accordingly, the undersigned respectfully requests that the Board grant this motion and allow the undersigned to withdraw as counsel of record.

Respectfully submitted,

**/Joseph T. Jasper/**

Joseph T. Jasper  
HANLEY, FLIGHT & ZIMMERMAN, LLC  
150 South Wacker Drive, Suite 2200  
Chicago, Illinois 60606  
Telephone: (312) 580-1020  
Attorneys for Respondents

Dated: March 19, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing MOTION TO WITHDRAW AS REPRESENTATIVE was served upon Petitioner and Respondents by depositing a copy of same with the United States Postal Service, first class postage prepaid, on this date, addressed to:

Petitioner:

Ms. Lindsay J. Hulley  
Rutan & Tucker LLP  
611 Anton Boulevard  
Suite 1400  
Costa Mesa, California 92626

Respondents:

Ms. Maria Mandarino  
Mr. Eugene Mandarino  
100 East Lake Shore Drive  
Round Lake Park, Illinois 60073

Respectfully submitted,

**/Joseph T. Jasper/**

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Attorneys for Respondents

Dated: March 19, 2014