

ESTTA Tracking number: **ESTTA639253**

Filing date: **11/17/2014**

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

Proceeding	92058847
Party	Plaintiff Benjamin Garcia aka TA EL 30-30 DE GUERRERO
Correspondence Address	MATTHEW H SWYERS THE TRADEMARK COMPANY 344 MAPLE AVENUE WEST, SUITE 151 VIENNA, VA 22180 UNITED STATES mswyers@thetrademarkcompany.com
Submission	Request to Withdraw as Attorney
Filer's Name	Matthew H. Swyers
Filer's e-mail	mswyers@thetrademarkcompany.com
Signature	/Matthew H. Swyers/
Date	11/17/2014
Attachments	WITHDRAWAL OF COUNSEL.pdf(168511 bytes)

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

In the matter of U.S. Registration 4,437,246
For the mark EL 30.30 DE VILLA
Registered on the Principal Register on Nov. 19, 2013

Garcia, Benjamin, a/k/a TA EL 30-30 DE GUERRERO	:	
	:	
	:	
	:	
Petitioner,	:	
	:	
vs.	:	Cancellation No. 92058847
	:	
Ortiz, Fernando, a/k/a El Oso,	:	
	:	
	:	
Registrant.	:	

WITHDRAWAL OF COUNSEL

COMES NOW the Petitioner, Benjamin Garcia, a/k/a TA EL 30-30 DE GUERRERO (hereinafter “Petitioner”), by counsel Matthew H. Swyers, Esquire, of The Trademark Company, PLLC and files the instant motion to withdraw as counsel of record in the above-captioned matter pursuant to TBMP § 513.01. In support of the instant motion counsel for the Petitioner certifies as follows:

Basis of Request

Counsel is no longer receiving directives from Petitioner as to litigation decisions, strategy, and the like required to continue its representation in this matter. Despite numerous attempts to communicate with the Petitioner, counsel certifies that Petitioner has denied counsel for the Petitioner the continued authority to proceed in his representative capacity in this matter. As such, counsel for the Petitioner ability to represent Petitioner has been compromised to the extent that he can no longer effectively represent Petitioner.

Certifications Required by TBMP § 513.01

Counsel for the Petitioner hereby certifies:

1. All papers and other materials that relate to the case have been delivered to the Petitioner to allow them to continue with this matter if they so choose;

2. There are no unearned fees to be refunded to the Petitioner; and
3. Proof of service of the instant motion is attached below.

Summary

WHEREFORE for good cause shown counsel for the Petitioner respectfully moves the Board for an order withdrawing counsel as counsel of record for the Petitioner and, in his place, substituting the following contact information with the Board for this matter:

Benjamin Garcia
4198 N. F Street
San Bernardino, CA 92407

Respectfully submitted this 17th day of November, 2014.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/
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