

ESTTA Tracking number: **ESTTA672252**

Filing date: **05/14/2015**

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

Proceeding	92058912
Party	Defendant Cary D. Portner
Correspondence Address	JACQUELINE TADROS JACQUELINE TADROS PA 401 EAST LAS OLAS BLVD, SUITE 1400 FORT LAUDERDALE, FL 33301 UNITED STATES jtadros@intellectualpropertynow.com
Submission	Request to Withdraw as Attorney
Filer's Name	Jacqueline Tadros
Filer's e-mail	jtadros@intellectualpropertynow.com
Signature	/jacqueline tadros/
Date	05/14/2015
Attachments	Notice of WD 5.14.15.pdf(82428 bytes)

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

PHARMAVITE, LLC

Petitioner

Cancellation No. 92058912

Mark: Naturally Made

Reg. No. 4,496,443

IC: 030 Tea based beverages; Iced Tea

v.

CARY D. PORTNER

Respondent.

Notice of Withdrawal of Attorney

PLEASE TAKE NOTICE that pursuant to 37 C.F.R. §10.40(c) and 37 C.F.R. §2.19(b) the undersigned counsel hereby withdraws as attorney of record for Respondent, Cary D. Portner and in support thereof states the following:

- (1) The Respondent has repeatedly failed to return counsel's e-mails and phone calls, thereby rendering it unreasonably difficult to carry out the employment and representation effectively as per 37 C.F.R. §10.40(c)(iv);
- (2) The Respondent has failed to authorize counsel to take measures deemed necessary by counsel for effective representation, rendering it unreasonably difficult to carry out the employment effectively as per 37 C.F.R. §10.40(c)(iv);
- (3) The Respondent has failed to pay counsel a retainer in advance of the performance of legal services and has failed to pay outstanding invoices as per 37 C.F.R. §10.40(c)(vi);
- (4) On May 4, 2015, undersigned counsel gave Respondent notice that counsel would withdraw from further representation if counsel did not receive Respondent's cooperation in this matter;

- (5) Respondent has a copy of all papers and property relating to Cancellation No. 92058912;
- (6) Counsel retains no monies in trust on behalf of Respondent. At this time, Respondent has failed to pay outstanding invoice for services rendered.

WHEREFORE the undersigned counsel respectfully requests permission to withdraw from this matter as attorney of record.

Date: May 14, 2015

Respectfully submitted,

JACQUELINE TADROS, P.A.

/Jacqueline Tadros/

JACQUELINE TADROS, P.A.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May 2015, the foregoing Notice of Withdrawal is being deposited with the United States Patent and Trademark Office, Trademark Trial and Appeal Board via electronic filing through their website located at <http://estta.uspto.gov> and served upon Petitioner and Respondent by delivering a true and correct copy of same to counsel for Petitioner and to Respondent as follows:

Pete Bromaghim

Blakely Sokoloff Taylor Zafman, LLP

12400 Wilshire Blvd.

Los Angeles, CA 90025

Mr. Cary Portner
185 NE 4th Avenue, Apt. 304
Delray Beach, FL 33483

/Jacqueline Tadros/ _____
Jacqueline Tadros