

ESTTA Tracking number: **ESTTA756968**

Filing date: **07/07/2016**

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

Proceeding	92060164
Party	Defendant Lorenzo Simmons
Correspondence Address	MATTHEW H SWYERS THE TRADEMARK COMPANY PLLC 344 MAPLE AVE W, STE 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	07/07/2016
Attachments	Withdrawal of Counsel For Registrant 92060164.pdf(172237 bytes)

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

Reg. No. 3,707,736;
For the mark SERVALL SERVICES,INC.COM;
Registered on the Principal Register November 10, 2009;

Servall Company,	:	
	:	
Petitioner,	:	
	:	
vs.	:	Cancellation No. 92060164
	:	
Lorenzo Simmons,	:	
	:	
Registrant.	:	

WITHDRAWAL OF COUNSEL

COMES NOW the Registrant, Lorenzo Simmons (hereinafter “Registrant”), by counsel Matthew H. Swyers, Esquire, of The Trademark Company, PLLC and files the instant motion to withdraw as counsel of record for Registrant in the above-captioned matter pursuant to TBMP § 513.01. In support of the instant motion counsel for the Registrant certifies as follows:

Basis of Request

The reason(s) for this request are those described in 37 CFR 11.116(b)(5). Counsel is no longer receiving directives from Registrant as to litigation decisions, strategy, and the like required to continue its representation in this matter. Despite numerous attempts to communicate with the Registrant, counsel certifies that Registrant has denied counsel for the Registrant the continued authority to proceed in his representative capacity in this matter. As such, counsel for Registrant’s ability to represent Registrant has been compromised to the extent that he can no longer effectively represent Registrant.

Certifications of Counsel for Registrant

In accordance with 37 CFR 10.40 and pursuant to 37 C.F.R. §§ 11.116(b)(1) and 11.116(d), Counsel for the Registrant hereby certifies:

1. Counsel for Registrant has provided Registrant with reasonable notice, prior to the expiration of the reply period, that Counsel intends to withdraw from employment so as to allow Registrant time to employ other counsel;

2. Counsel for Registrant has delivered to the Registrant all papers and property to which the Registrant is entitled so that Registrant has the ability to continue with this matter if Registrant so chooses;

3. There are no unearned fees to be refunded to the Registrant;

4. Counsel for Registrant has notified the Registrant of any replies that may be due and the time frame within which the Registrant must respond; and

5. Counsel for Registrant has notified the Registrant of the pending Motion to Extend filed by the opposing party on or about June 16, 2016.

6. Proof of service of the instant motion to Registrant and Opposing Counsel is attached below.

Summary

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

Lorenzo Simmons
2353 Culbreth Rd.
Fayetteville, NC 28312
lorenzsimmons@msn.com

Respectfully submitted this 7th day of July, 2016.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

Matthew H. Swyers, Esq.

344 Maple Avenue West, Suite 151

Vienna, VA 22180

Tel. (800) 906-8626 x704

Facsimile (270) 477-4574

mswers@TheTrademarkCompany.com

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	:	
Lorenzo Simmons,	:	
	:	
Registrant.	:	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing this 7th day of July, 2016 to
be served, via first class mail, postage prepaid, upon:

Lorenzo Simmons
2353 Culbreth Rd.
Fayetteville, NC 28312

LINDA MONGE CALLAGHAN
RADER, FISHMAN & GRAUER PLLC
39533 WOODWARD AVE , SUITE 140
BLOOMFIELD HILLS, MI 48304

/Matthew H. Swyers/
Matthew H. Swyers