

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

Registration No. 3798681 - 77 795 985
Cancellation No. 92061629

STRONGVOLT, INC.,)	
)	
Petitioner,)	COHEN BUSINESS LAW GROUP,
)	APC, JEFFREY A. COHEN AND
v.)	VERONICA BESMER'S NOTICE
)	OF WITHDRAWAL AS COUNSEL
MATEY MICHAEL GHOMESHI,)	
)	
Respondent.)	
)	
)	

NOTICE OF WITHDRAWAL AS COUNSEL

TO THE TRADEMARK TRIAL AND APPEAL BOARD, ALL PARTIES, AND
THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT the Cohen Business Law Group, apc, Jeffrey A. Cohen, Esq. and Veronica Besmer, Esq., hereby apply for withdrawal as attorney of record for potential respondent MATEY MICHAEL GOMESHI, as there has been a break-down in the attorney-client relationship and a conflict of interest has arisen.

INTRODUCTION

On or about June 8, 2015, COHEN BUSINESS LAW GROUP, APC ("Attorney") was retained to represent potential respondent MATEY MICHAEL GOMESHI ("Respondent")



with respect to STRONG VOLT INC.'S ("Petitioner") petition for cancellation of the mark MOBILEBLACKBOX in International Class 009, shown in Registration No. 3798681 ("Mark"), dated June 5, 2015. On July 14, 2015, Respondent filed an Answer to Petition to Cancel the Mark. On September 14, 2015, Petitioner filed a Stipulated Consent Motion to extend deadlines for ninety days, which this Court granted the same day.

LEGAL GROUNDS FOR WITHDRAWAL

37 CFR § 2.119(b) provides that an attorney practitioner may withdraw as counsel upon application to and approval by the Director or, when applicable upon motion granted by the Trademark Trial and Appeal Board.

Under 37 CFR § 1.116(a)(1), an attorney's representation withdrawal shall be mandatory if representation will result in a violation of USPTO Rules of Professional Conduct or other law. Under 37 CFR § 1.116(b), "a practitioner may withdraw from representing a client if:

(1) Withdrawal can be accomplished without material adverse effect on the interests of the client;

(4) A client insists upon taking action that the practitioner considers repugnant or with which the practitioner has a fundamental disagreement;

(5) The client fails substantially to fulfill an obligation to the practitioner regarding the practitioner's services and has been given reasonable warning that the practitioner will withdraw unless the obligation is fulfilled.

(6) The representation will result in an unreasonable financial burden on the practitioner or has been rendered unreasonably difficult by the client;

(7) Other good cause for withdrawal exists."

Similarly, California Rules of Professional Conduct 3-700(C)(1)(d) and (f) allow for permissive withdrawal when a client breaches its obligations relating to the attorney's expenses or fees, or make it unreasonably difficult for counsel to effectively represent the client.

Since Attorney's representation began, there has been a break-down in the attorney-client relationship such that withdrawal of Attorney's representation is warranted. Withdrawal of attorney will not prejudice Respondent, as Respondent will have an opportunity to retain new counsel or oppose Petitioner's petition for cancellation. Further, Attorney has notified Respondent and discussed this withdrawal with Respondent via telephone numerous times and Respondent is in possession of the entire case file. Additionally, Attorney does not possess any unearned fees belonging to Respondent.

Moreover, should Attorney remain as counsel of record, an actual conflict of interest will occur between Attorney and Respondent regarding performance of Attorney's services that makes withdrawal mandatory under the California Rules of Professional Conduct.

Upon withdrawal of Attorney, all further correspondence shall be delivered to the Respondent as follows:

Matey Michael Ghomeshi
Mobile Black Box
P.O. Box 95
Ontario, CA 91762-8095

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Conclusion

For the foregoing reasons, Cohen Business Law Group, apc, Jeffrey A. Cohen, Esq. and Veronica Besmer, Esq. respectfully request that their application for withdrawal be approved. Moreover, Cohen Business Law Group, apc, Jeffrey A. Cohen, Esq. and Veronica Besmer, Esq. respectfully request that the withdrawal be confirmed by the USPTO forthwith.

Dated: November 25, 2015

COHEN BUSINESS LAW GROUP

By: _____/s/_____

Jeffrey A. Cohen, Esq.
Veronica Besmer, Esq.
10990 Wilshire Boulevard
Suite 1025
Los Angeles, California 90024
Telephone: (310) 469-9600
Fax: (310) 469-9610

*Attorneys for Respondent
Matey Michael Ghomeshi*

CERTIFICATE OF PAPER SUBMISSION

I hereby certify that the foregoing NOTICE OF WITHDRAWAL AS COUNSEL OF RECORD is being submitted via overnight mail to the Trademark Trial and Appeal Board, United States Patent and Trademark Office, Madison East, Concourse Level Room C 55, Alexandria, VA 22314.

COHEN BUSINESS LAW GROUP

By: _____/s/_____

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing NOTICE OF WITHDRAWAL AS COUNSEL OF RECORD is being deposited with the U.S. Postal Service with sufficient postage as first class mail this 25th day of November, 2015, in an envelope addressed to Petitioner's counsel of record at the following address:

Higgs Fletcher & Mack LLP
Charles F. Reidelbach, Jr.
401 West A Street
Suite 2600
San Diego, CA 92101

Matey Michael Ghomeshi
Mobile Black Box
P.O. Box 95
Ontario, CA 91762-8095

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