

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

dmd

Mailed: August 29, 2005

Opposition No. 91120507

PC CLUB

v.

INTELLIGROUP, INC.

Andrew P. Baxley, Interlocutory Attorney:

Defendant's motion (filed August 5, 2005) to withdraw as counsel of record in this case is hereby denied without prejudice because it fails to comply with the requirements of Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40.

Specifically, the motion does not include one or more of the following requirements: (1) a statement that the practitioner has notified the client of his or her desire to withdraw from employment, and has allowed time for employment of another practitioner; (2) a statement that all papers and property that relate to the proceeding and to which the client is entitled have been delivered to the client; (3) if any part of a fee paid in advance has not been earned, a statement that the unearned part has been refunded; and (4) proof of service of the request upon every other party to the proceeding. See

Patent and Trademark Rule 10.40, 37 CFR § 10.40. *Cf. In re Legendary Inc.*, 26 USPQ2d 1478 (Comm'r 1992).

In view thereof, counsel is allowed **THIRTY DAYS** from the mailing date of this order to submit a motion which complies with Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40.

Except to the extent indicated above, proceedings are suspended. The parties will be notified by the Board when proceedings are resumed, and appropriate dates will be rescheduled in due course.¹

A copy of this order has been sent to all persons listed below.

cc:

Sally L. Bryne
Wilmer Cutler Pickering Hale and Dorr, LLP
60 State Street
Boston, MA 02109

Amanda V. Dwight
Dwight Law Group
234 E. 17th Street, Ste 105-A
Costa Mesa, Ca 92627

Christian Misvaer
General Counsel
499 Thornall Street, 11th Floor
Edison, NJ 08337

¹ In view of the suspension, plaintiff's motion to extend discovery and trial dates is noted but will not be considered at this time.