

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Johnson

Mailed: September 18, 2002

Opposition No. 91125283

JOE BOXER COMPANY, LLC

v.

FRANKLIN LOUFRANI

**Jyll S. Taylor, Attorney:**

On June 14, 2002, applicant's attorneys filed a request to withdraw as applicant's counsel of record in this case.<sup>1</sup> The request to withdraw as counsel is in compliance with the requirements of Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40, and is accordingly granted. Accordingly, Peter Nussbaum and the law firm of Wolff & Samson no longer represent applicant in this proceeding. However, until applicant appoints a new domestic representative, Peter Nussbaum and the law firm of Wolff & Samson remain applicant's domestic representative solely as a conduit for proceeding correspondence.

In view of the withdrawal of applicant's counsel, and in accordance with standard Board practice, proceedings herein are

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<sup>1</sup> A copy of said request has been placed in both the opposition file and the application file.

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suspended, and applicant is allowed until thirty days from the mailing date of this order to appoint new counsel, or to file a paper stating that applicant chooses to represent itself.

At a minimum, applicant must designate a new domestic representative, by written document, upon whom proceeding correspondence may be served. The mere appointment of a domestic representative does not authorize the person designated to prosecute the proceeding unless qualified under Trademark Rule 10.14. See Trademark Rule 2.119(d); and TBMP §114.07.

If applicant files no response, the Board may issue an order to show cause why default judgment should not be entered against applicant based on its apparent loss of interest in the case. Proceedings herein are otherwise suspended.

If and when proceedings herein are resumed, a copy of the notice of opposition will be forwarded to applicant (or his representative) and applicant will be allowed time to file an answer and trial dates, including the close of discovery, will be reset.

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

cc:

**Applicant:**

Franklin Loufrani  
The Smiley Licensing Corporation  
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**Applicant's Former Counsel and Remaining Domestic Representative:**

Peter Nussbaum  
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**Opposer's Counsel:**

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