

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

ULTRADEC, INC.

Opposer,

v.

MENARD, INC.,

Applicant.



11-08-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #58

Opposition No.: 91152076

Mark: ULTRADECK

Serial No.: 76/001,506

Filed: March 15, 2000

Published: October 23, 2001

MOTION TO WITHDRAW AS COUNSEL

BOX TTAB – NO FEE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Pursuant to 37 C.F.R. § 2.19(b) and Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 513.01, the undersigned attorneys hereby request permission from the Trademark Trial and Appeal Board to withdraw as counsel to Opposer Menard, Inc. in the above-captioned matter. The undersigned attorneys’ request is made with the full consent of Menard, Inc. and Menard, Inc. knowingly and freely assents to termination of the representation, as required by 37 C.F.R. § 10.40(c)(5).

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 746598289 US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

November 8, 2002

Date of Deposit

Handwritten signature of Oscar Giron in black ink.

Signature

Oscar Giron

Typed or Printed Name of Person Signing Certificate

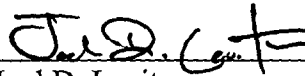
The undersigned attorneys have (i) notified Menard, Inc. of their desire to withdraw and Menard Inc. has consented to such a withdrawal, (ii) allowed time for Menard, Inc. to substitute counsel, (iii) delivered to Menard, Inc. all papers and property that relate to the proceeding and to which Menard, Inc. is entitled, and (iv) served this Motion on Menard, Inc. and the Opposer Ultradec, Inc., and enclosed proof of such service herewith. See 37 C.F.R. § 10.40(a); TBMP § 513.01.

For the foregoing reasons, the undersigned respectfully request that the Trademark Trial and Appeal Board grant the undersigned permission to withdraw as counsel to Menard, Inc. in the above-captioned proceedings.

Respectfully Submitted,



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Date: November 8, 2002

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the following document:

MOTION TO WITHDRAW AS COUNSEL

has been served upon the following parties on the 8th day of November, 2002, directed to said parties at the following addresses and in the below manner:

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VIA FACSIMILE AND FEDERAL EXPRESS

Respectfully submitted,

Dated: November 8, 2002



Tammy J. McCanna

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HAB

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11-08-2002

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #58

November 8, 2002

Commissioner for Trademarks
BOX TTAB - NO FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Opposition by Ultradec, Inc. v. Menard, Inc. (ULTRA DECK)
Our Ref.: 11315-248PP1



Dear Sir or Madam:

Enclosed for filing in connection with the above-referenced application are:

- 1) Motion to Withdraw as Counsel; and
- 2) Postcard to acknowledge receipt of these materials.

Please date stamp and return the enclosed postcard to acknowledge receipt of these materials. Should any fees be required relating to the enclosed document, the Honorable Commissioner for Trademarks is authorized to deduct said fees from Fish & Richardson Deposit Account No. 06-1050 with reference to 11315-248PP1.

02 NOV 13 5:16:14
TRADEMARK TOLU AND
APPEALS BOARD

Very truly yours,

Stephen R. Baird

Stephen R. Baird

SRB/tjm

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SILICON VALLEY
TWIN CITIES
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