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

GIBSON PIANO VENTURES, INC.,)
)
Opposer,)
)
v.)
)
MUSICAL PROPERTIES, INC.)
)
Applicant.)

Opposition No. 91153716
Application No. 78099091
Interlocutory Attorney:
Karen Kuhlke

02-10-2003
U.S. Patent & TMO/TM Mail Rpt Dt. #77

REQUEST TO WITHDRAW AS ATTORNEYS

Now come MAUREEN BEACOM GORMAN and CATHERINE SIMMONS-GILL on their request to withdraw as attorneys for Applicant, MUSICAL PROPERTIES, INC., pursuant to 37 CFR § 10.40 and in support thereof, state as follows:

1. The attorneys CATHERINE SIMMONS-GILL and MAUREEN BEACOM GORMAN ("Attorneys") met with Daniel Baker of Musical Properties, Inc. on December 18, 2002 at Fandrich Piano located at 333 South State Street, Course Level, Chicago, IL 60604 to discuss the possibility of representing applicant in the above captioned matter. At that meeting, Attorneys clearly informed the Applicant's representative that Attorneys would require the execution of a written retainer agreement.
2. To protect the Applicant's interests, Attorneys filed on January 13, 2003 a stipulated motion to extend the Applicant's time to answer. Assuming said motion is granted, the Applicant has until February 13, 2003 to answer the Notice of Opposition.
3. Attorneys have notified the Applicant of this motion and of the present due date of the February 13, 2003 for response to the Notice of Opposition.

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4. Attorneys communicated with the Applicant's representative, Dan Baker, as he requested, at the email address that he provided, at the State Street address listed in paragraph 1 above, and via telephone frequently from December 18, 2002 through January 23, 2003 requesting an executed written retainer agreement.

5. Attorneys have been unsuccessful in obtaining the executed written retainer agreement from the Applicant.

6. On January 24, 2003 via email, Attorneys notified the Applicant of their intent to withdraw as its counsel.

7. On January 28, 2003 via hand-delivery through Chicago Messenger Service, Attorneys again notified Applicant that Attorneys would be withdrawing from representation of the Applicant before the Trademark Trial and Appeal Board in connection with Gibson Musical Ventures v. Musical Properties, Inc.

8. Applicant has adequate time for it to obtain other counsel if it so chooses. Specifically, as of the date of notice of intent to withdraw by Attorneys, Applicant had more than two weeks to obtain other counsel prior to the time either a response or an additional request for an extension of time is due.

9. Although Attorneys have submitted invoices for work completed, Applicant did not advance any funds to Attorneys. Therefore, no fee reimbursement is due to the Applicant.


10. All papers and property that relate to this proceeding and to which the Applicant is entitled have been delivered to the Applicant, Musical Properties, Inc., to the attention of Dan Baker, c/o Fandrich Pianos, 333 North State Street, Concourse Level, Chicago, IL 60604 or to the attention of Dan Baker at 949 French Drive, Mundelein, Illinois 60060-3012.

11. In addition, each party to this opposition proceeding, including the applicant, Musical Properties, Inc., has been served with this request as the proof of service attests to below.

WHEREFORE, in accordance with the foregoing, attorneys CATHERINE SIMMONS-GILL and MAUREEN BEACOM GORMAN hereby respectfully request the Board to permit their withdrawal as attorneys for the Applicant, Musical Properties, Inc., and for such other just and equitable relief as the Board sees fit.

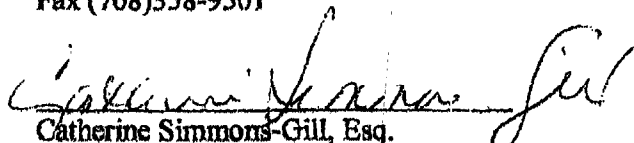
Respectfully submitted,

Dated: 2/4/2003



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Dated: 2/4/03



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Proof of Service: Certificate of Mailing

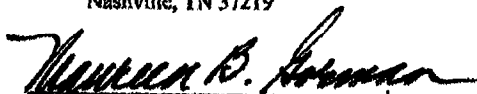
I hereby certify that this correspondence is being deposited with the United States Postal Service on February 4, 2003 with sufficient postage as first-class mail in an envelope addressed to:

Assistant Commissioner for
Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Edward D. Lanquist, Jr., Esq.
Wadley & Patterson
Bank of America Plaza, Suite 2020
414 Union Street
Nashville, TN 37219

Musical Properties, Inc.
Attention: Mr. Dan Baker
949 French Drive
Mundelein, IL 60060-3012

on 2/4/2003
Date



Maureen Beacom Gorman, Esq.