

09/25/2002 11:15

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

In the matter of Application Serial No. 75/788815
Trademark: **BULL RUSH**
Published in the *Official Gazette* on January 22, 2002

RUSH BEVERAGE COMPANY, INC.)
)
 Opposer,)
)
 v.)
)
RED BULL GMBH.)
)
 Applicant.)
_____)

Opposition No. 91155129



09-22-2003
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

MOTION TO WITHDRAW AS REPRESENTATIVE

Ladas & Parry, attorney of record for Opposer Robert J. Corr in the above-referenced opposition, hereby moves the Honorable Board to withdraw as representative as permitted by 37 C.F.R. 1040 (c). This motion is made for the following reasons:

1. Mr. Corr has failed to pay one or more bills rendered by Ladas & Parry for a unreasonable period of time, despite numerous requests for payment.
2. James L. Kurtz, the Ladas & Parry attorney responsible for the representation of Mr. Corr, joined Ladas & Parry in the Fall of 2001 and apparently subsequently filed a number of matters for his former clients without the firm's knowledge.

3. Mr. Kurtz left the firm on March 31, 2003 and apparently took all of his "personal" files with him, including the files on the above-referenced matter.
4. Mr. Kurtz passed away on June 8, 2003.
5. A receiver has been appointed for the estate of James L. Kurtz, namely:

James P. Hanrath
Boundas, Sharzaski, Walsh & Black, LLC
200 East Randolph Drive
Suite 7200
Chicago, Illinois 60601

6. Mr. Hanrath indicated to Ladas & Parry that he took possession of all of Mr. Kurtz's files from Mr. Kurtz's home and notified the clients to seek new counsel.

The client has agreed to this withdrawal and requests that all future correspondence be referred to:

Rush Beverage Company, Inc.
ATTN: Robert J. Corr, President
P. O. Box 207
Blue Island, Illinois 60406
Tel.: 708-389-6625
Fax.:708-389-6504

DATED this 15th day of September, 2003.

Respectfully submitted,

LADAS & PARRY

By: 

Lindsey Welu
Richard M. Johnson
Ladas & Parry
224 South Michigan Avenue
Chicago, Illinois 60604
Attorneys for Opposer

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:
Box: TTAB – No Fee, Commissioner for trademarks,
2900 Crystal Drive, Arlington, Virginia 22202-3515
on September 15, 2003.

Signature

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing **MOTION TO WITHDRAW AS REPRESENTATIVE** was served upon Applicant through its agent of record and Robert J. Corr, Rush Beverage Company, Inc. on September 15, 2003, by depositing a copy of the same with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed as follows:

Martin R. Greenstein
TECHMARK
55 South Market Street, 16th Floor
San Jose, CA 95113

Rush Beverage Company, Inc.
Robert J. Corr, President
P. O. Box 207
Blue Island, Illinois 60406


Sharon Russell

LAW OFFICES

LADAS & PARRY

TTAB

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September 15, 2003

Box TTAB **NO FEE**

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



09-22-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Re: Motion to Withdraw As Representative
U. S. Trademark Application No. 75/788815
Opposition No. 91155129
Published Mark: **BULL RUSH**
Opposer: Rush Beverage Company, Inc.
Applicant: Red Bull GmbH

Dear Sir or Madam:

Enclosed for filing please find the following:

1. MOTION TO WITHDRAW AS REPRESENTATIVE,
2. Certificate of Mailing and Certificate of Service
3. Return receipt postcard

Please affix your date stamp to the enclosed return-receipt postcard to evidence your receipt of the same and return.

Respectfully submitted,

Lindsey E. Welu
Lindsey Welu

LW/srr

Enclosures

cc: Martin R. Greenstein