

ESTTA Tracking number: **ESTTA77472**

Filing date: **04/21/2006**

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

Proceeding	91160780
Party	Defendant Panicware, Inc. Panicware, Inc. 557 Roy Street, #150 Seattle, WA 98109
Correspondence Address	KARIN SEGALL DARBY & DARBY P.C. P.O. BOX 5257 NEW YORK, NY 10150-5257  jmatkowsky@Darbylaw.com
Submission	Request to Withdraw as Attorney
Filer's Name	Karin Segall and Jonathan Matkowsky
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Signature	/jdm/
Date	04/21/2006
Attachments	00722571.PDF ( 3 pages )(45290 bytes )

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

-----X		
PANIC, INC.,	:	
	:	
<i>Opposer,</i>	:	
	:	
v.	:	Opposition No. 91160780
	:	
PANICWARE, INC.	:	
	:	
<i>Applicant.</i>	:	
-----X		

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MOTION TO WITHDRAW**

The undersigned practitioners request permission from the Board to withdraw from employment as the attorneys for the Applicant, Panicware, Inc., the Defendant in this proceeding before the Board.

This request to withdraw is based upon one of the grounds for permissive withdrawal listed in 37 CFR § 10.40(b), namely failure to pay one or more bills rendered by the undersigned practitioners for an unreasonable period of time. *See* TBMP § 513.01(c)(1)(vi).

On April 11, 2006, the undersigned counsel gave advanced notice in writing to Panicware that it would request to withdraw as attorneys of record before the


Board, based upon Panicware's failure to pay outstanding legal fees for an unreasonable period of time.

The undersigned practitioners are in compliance with the requirements of 37 CFR § 10.40(a) by having taken reasonable steps to avoid foreseeable prejudice to the rights of the client, including giving due notice to Panicware, allowing Panicware time for employment of another practitioner, delivering all papers and property to which it is entitled, and otherwise complying with applicable laws and rules, including advising Panicware of relevant deadlines in this proceeding.

Respectfully submitted,

DARBY & DARBY P.C.

Dated: April 21, 2006

By: Karin Segall   
Karin Segall  
Jonathan Matkowsky  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7700  
*Attorneys for Applicant*  
**Panicware, Inc.**

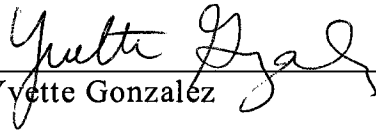
**CERTIFICATE OF SERVICE**

This is to certify that a true copy of the foregoing document entitled MOTION TO WITHDRAW was served on Applicant, and Petitioner's representative by first-class mail, postage prepaid on:

PANICWARE, INC.  
P.O. BOX 30876  
Seattle, Washington 98113-0876

Gary H. Lau, Esq.  
Attorney at Law  
7430 N Fiske Avenue  
Portland, Oregon, 97203

on April 21, 2006.

  
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Yvette Gonzalez