

ESTTA Tracking number: **ESTTA59736**

Filing date: **12/29/2005**

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

Proceeding	91168194
Party	Defendant MARGARITA ICE, L.L.C. MARGARITA ICE, L.L.C. 320 DECKER DRIVE, SUITE 229 IRVING, TX 75062
Correspondence Address	William P. Oberhardt William P. Oberhardt, LLC 2100 Three First National Plaza Chicago, IL 60602
Submission	Other Motions/Papers
Filer's Name	William P. Oberhardt
Filer's e-mail	WPOberhardt@aol.com
Signature	/William P. Oberhardt/
Date	12/29/2005
Attachments	76349631--Petition for Withdrawal of Attorney.pdf (3 pages)

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

Tequila Cuervo La Rojena, S.A. de C.V.,)	
)	
Plaintiff-Opposer,)	Opposition No.: 91168194
)	(Sandra Thompson, Legal Assistant)
)	
Margarita Ice, LLC,)	Serial No.: 76/349631
)	
Defendant-Applicant.)	

PETITION FOR WITHDRAWAL OF ATTORNEY

To: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
Attn: Sandra Thompson, Legal Assistant

William P. Oberhardt, former attorney for the applicant, Margarita Ice, LLC, hereby petitions the Trademark Trial and Appeal Board to withdraw as attorney of record in the above-captioned matter. Petitioner has previously given due notice to the applicant (on June 9, 2005) that he was withdrawing from all legal representation of Margarita Ice, LLC, including trademark application 76/349631, citing, *inter alia*, professional difficulties with the applicant as a reason for withdrawal.

Petitioner has delivered to the applicant all papers and property in his files concerning the above-captioned matter and underlying application for the trademark registration. Petitioner's notice of withdrawal to applicant was provided to applicant in writing on June 9, 2005, more than two months prior to the expiration of any response period herein. A copy of this Petition will be served upon the applicant at the last address known to Petitioner for the applicant, by certified mail, return receipt requested, and via

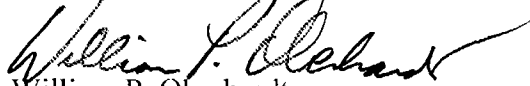
email to the last known email address for applicant. The last know postal address and email address for the applicant are:

Margarita Ice, LLC
c/o Larry D. Walker, President
8500 Doral Court E.
Flower Mound, TX 75022
email: LDW@ldwalker.us

A copy of the Trademark Trial and Appeal Board scheduling order dated December 22, 2005 is similarly being provided to the applicant.

WHEREFOR, petitioner William P. Oberhardt respectfully requests that the Trademark Trial and Appeal Board grant this Petition For Withdrawal Of Attorney for the reasons set forth above.

Respectfully submitted,



William P. Oberhardt
Petitioner and
Former Attorney for Applicant
Margarita Ice, LLC

William P. Oberhardt
WILLIAM P. OBERHARDT, LLC
2100 Three First National Plaza
Chicago, Illinois 60602
(312) 251-1100 phone
(312) 251-1175 fax

Dated: December 29, 2005

CERTIFICATE OF SERVICE

The undersigned petitioner hereby certifies that he caused a copy of the attached
Petition For Withdrawal Of Attorney to be served in the manners indicated below on this
29th day of December, 2005:

By United States Mail

Marie Anne Mastrovito
Abelman Frayne & Schwab
666 Third Avenue
New York, NY 10017-5621

Counsel for Opposer
Tequila Cuervo La
Rojena, S.A. de C.V.

By United States Certified Mail,
Return Receipt Requested & Email

Margarita Ice, LLC
c/o Larry D. Walker, President
8500 Doral Court E.
Flower Mound, Texas 75022
email: LDW@ldwalker.us

Applicant
Margarita Ice, LLC



William P. Oberhardt
Petitioner and
Former Attorney for Applicant
Margarita Ice, LLC