

1 Scot L. Claus, Esq. (#014999)
2 MARISCAL, WEEKS, McINTYRE
& FRIEDLANDER, P.A.
3 2901 N. Central Avenue, Suite 200
Phoenix, Arizona 85012-2705
4 Phone: (602) 285-5000
Fax: (602) 285-5100
scot.claus@mwmf.com

5 Attorneys for Opposer

6
7 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
8 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**
9

10 In the matter of trademark
11 application Serial No.: 77/211461
12 Opposition No. 91187203
13 For the mark: PENN STATE WHITE OUT
14 Published in the Official Gazette on: SEPTEMBER 23, 2008
15 Name of Opposer: COYOTES HOCKEY, LLC, a Delaware limited
16 liability company
17 v.
18 Name of Applicant: THE PENNSYLVANIA STATE UNIVERSITY
19
20

21 **MOTION TO WITHDRAW AS COUNSEL OF RECORD**

22 Petitioner has instituted a bankruptcy proceeding in the United States Bankruptcy Court for the
23 District of Arizona having Case No. 2:09-bk-09488-RTBP (the "Bankruptcy Proceeding"). Pursuant to
24 the Automatic Stay imposed in the Bankruptcy Proceeding by 11 U.S.C. § 362(A), undersigned counsel
25 is not permitted to represent the Debtor/Petitioner unless retained as a professional by the Debtor-in-
26 Possession and approved by the Bankruptcy Court. The Debtor-in-Possession has not approved the
27
28



08-25-2009

1 retention of the undersigned as a professional in this case, nor has the Bankruptcy Court approved the
2 retention of the undersigned as a professional.

3 For these reasons, the undersigned can take no action on behalf of the Debtor/Petitioner, and
4 thus, seeks withdraw as counsel of record.

5 A copy of this Motion is also being sent to the last known address of Petitioner:


6
7 COYOTES HOCKEY, LLC
8 Attn: Steve Weinreich
9 General Counsel
6751 N. Sunset Boulevard, Suite 200
Glendale, AZ 85305

10 A copy of this Motion is also being sent to counsel for the Debtor-in-Possession:

11
12 Thomas J. Salerno
13 SQUIRE, SANDERS & DEMPSEY, LLP
14 Two Renaissance Square
40 North Central Avenue, Suite 2700
Phoenix, AZ 85004-4498

15 RESPECTFULLY SUBMITTED this 25th day of August, 2009.

16 MARISCAL, WEEKS, McINTYRE
17 & FRIEDLANDER, P.A.

18 By 
19 Scot L. Claus, Esq.
20 2901 North Central – Suite 200
21 Phoenix, Arizona 85012-2705
22 Attorneys for Opposer

1 **PROOF OF SERVICE**

2
3 The foregoing pleading will be served via FedEx overnight service, on the following individual, who
4 is identified as the attorney of record in the subject Application, and is further identified as the
5 "Correspondence Address" on the TARR Database:

6 WAYNE L. MOWERY, JR.
7 MCQUAIDE BLASKO LAW OFFICES
8 811 UNIVERSITY DR
STATE COLLEGE, PA 16801-6624

9 The foregoing pleading will also be served via FedEx overnight service, on the following individuals:

10 Last known address of Petitioner:

11 COYOTES HOCKEY, LLC
12 ATTN: STEVE WEINREICH
13 GENERAL COUNSEL
14 6751 N. SUNSET BOULEVARD, SUITE 200
GLENDALE, AZ 85305

15 Counsel for the Debtor-in-Possession:

16 THOMAS J. SALERNO
17 SQUIRE, SANDERS & DEMPSEY, LLP
18 TWO RENAISSANCE SQUARE
40 NORTH CENTRAL AVENUE, SUITE 2700
PHOENIX, AZ 85004-4498

19
20
21 

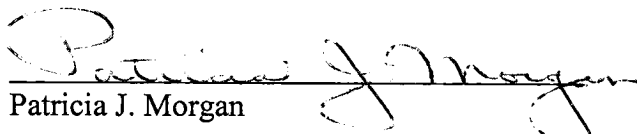
22 Scot L. Claus

23
24
25 U:\MARK\COYOTES-HOCKEY\MTN WITHDRAW AS COUNSEL OF RECORD-WHITEOUT-PG2.doc

CERTIFICATE OF EXPRESS MAIL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I, PATRICIA J. MORGAN, do hereby certify that the foregoing document is being deposited with the United States Postal Services, as Express Mail, postage prepaid, in an envelope addressed to the Trademark Trial & Appeal Board, U.S. Patent & Trademark Office, P.O. Box 1451, Alexandria, Virginia 22313-1451, on August 25, 2009.


Patricia J. Morgan

EH 239392334 US
Express Mail No.