

ESTTA Tracking number: **ESTTA351344**

Filing date: **06/07/2010**

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

Proceeding	91194934
Party	Defendant Kaufman, Nicholas John
Correspondence Address	JEFFREY W. WEAVER DUNLAP, GRUBBB & WEAVER, PLLC 199 LIBERTY ST SW LEESBURG, VA 20175-2715 ip@dglegal.com
Submission	Request to Withdraw as Attorney
Filer's Name	Jeffrey W. Weaver
Filer's e-mail	jweaver@dglegal.com,dludwig@dglegal.com
Signature	/Jeffrey W. Weaver/
Date	06/07/2010
Attachments	Motion to Withdraw.pdf (3 pages)(12104 bytes)

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

KARALIAN, ALAN R.,)	
)	
Opposer/Plaintiff,)	
)	
v.)	Opposition No. 91194934
)	
KAUFMAN, NICHOLAS J.,)	
)	
Applicant/Defendant.)	

MOTION TO WITHDRAW AS COUNSEL

Jeffrey W. Weaver, and the law firm of Dunlap, Grubb & Weaver, PLLC (collectively, the “Firm”), pursuant to Trademark Rules of Practice §§ 2.19(b) and 10.40(b)(4), hereby respectfully petition the Director for leave to withdraw as counsel for Applicant/Defendant Nicholas J. Kaufman (the “Applicant”) in the above-captioned opposition proceeding, and in support thereof, states as follows:

1. The Firm has represented the Applicant since before this opposition proceeding was filed.
2. The scope of the Firm’s representation of the Applicant was limited to the filing of Application Serial Number 77/856,025. The Firm has never been retained to represent the Applicant in any *inter partes* proceedings.
3. Upon receiving notice of the instant opposition proceedings, the Firm offered its services to the Applicant, but the Applicant decided not to retain the Firm to represent it in this matter.
4. Other than the instant Motion to Withdraw, the Firm has not filed any papers or otherwise entered an appearance in this opposition proceeding.

5. The Firm has cautioned the Applicant about the risks of proceeding *pro se* in this matter.

6. The Firm has provided the Applicant with ample notice of its intent to seek withdrawal, and the Firm has provided the Applicant with sufficient time to employ alternate counsel.

7. The Firm has provided the Applicant with notice of all currently scheduled upcoming deadlines in this matter.

8. Until alternate counsel for the Applicant enters an appearance, the Applicant has agreed to accept service in this matter if mailed to the following address:

Nicholas J. Kaufman
12015 Sycamore St. NW
Coon Rapids, MN 55448

9. The Applicant does not object to the Firm's withdrawal from this matter.

DUNLAP, GRUBB & WEAVER, PLLC

By: /Jeffrey W. Weaver/
Jeffrey W. Weaver
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CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2010, a true and complete copy of the foregoing Motion to Withdraw as Counsel has been served via ESTTA and First Class mail, postage prepaid to:

Ajay Kwatra
The Law Offices of Ajay Kwatra
1775 Diamond St. Suite 1-226
San Diego, CA 92109

Nicholas J. Kaufman
12015 Sycamore St. NW
Coon Rapids, MN 55448

/Jeffrey W. Weaver/
Jeffrey W. Weaver