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Richard P. Savitt**

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October 4, 2016

United States Patent and Trademark Office

Trademark Trial and Appeal Board

PO Box 1451

Alexandria, VA 22313-1451

RE: Opposition No. 91205106

Serial Number: 85439019

Gans-Mex LLC v. Dual Groupe LLC

Withdrawal of Counsel pursuant to 37 CFR Sec. 2.19b and Sec. 10.40(a)

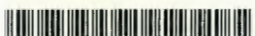
Dear Sirs:

It has been virtually impossible for me to work on this matter in the best interest of my client Dual Groupe, LLC, due to the fact that the members of Dual Groupe have been in litigation against one another, or defendants in the same matters whereby there interests were against one another, for the past 2-3 years. These matters include but are not limited to: HC Hospitality Partners v. Koch Et. Al. NY Supreme, Index No. 653653/2013, Meloni v. Wainstein 1:2013 cv 08439, and Schalaudek v. Chateau 20th St. LLC 1:2016 cv 00011.

I have emailed and mailed copies of the entire file to the Defendants prior to today's date. The Defendant's will not meet with me, will not pay past due bills, will not meet with me in the future to discuss future litigation of this matter and they refuse to pay any money for fees, costs or expenses going forward. It is impossible for me to remain on as attorney. I have told my client (individually and as LLC) that I would be filing this request for removal and they had no objection.

37 CFR 10.40 (a)

(c) Permissive withdrawal. If paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matters pending before the Office unless such request or such withdrawal is because: (1) The petitioner's



10-11-2016

client: Chapter 100-63 (i) Insists upon presenting a claim or defense that is not warranted under existing law and cannot be supported by good faith argument for an extension, modification, or reversal of existing law; (ii) Personally seeks to pursue an illegal course of conduct; (iii) Insists that the practitioner pursue a course of conduct that is illegal or that is prohibited under a Disciplinary Rule; (iv) By other conduct renders it unreasonably difficult for the practitioner to carry out the employment effectively; (v) Insists, in a matter not pending before a tribunal, that the practitioner engage in conduct that is contrary to the judgment and advice of the practitioner but not prohibited under the Disciplinary Rule; or (vi) Has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time or has failed to honor an agreement to pay a retainer in advance of the performance of legal services

There has been a complete breakdown of communication between my office and the members of Dual Groupe. They have refused to pay any of the past due costs and expenses associated with the Trademark matter and as importantly have refused to pay any retainer going forward. I have requested in office meetings to discuss past due and future payments and all legal matters going forward, but the client has refused to make any payment and therefore there can be no further representation.

There has been a complete breakdown in all correspondence and communications between the parties. It should be noted that one of the members of Dual Groupe is Attorney Michael Wainstein who has been a practicing attorney in New York State for more than 15 years. I suggested that he file an appearance on behalf of Dual Groupe, but he has refused.

Sincerely,

Richard P. Savitt

Cc: Michael Wainstein, Daniel Koch, Derek Koch and Alexander Karasik, attorney for Gans Mex, LLC

AFFIRMATION OF SERVICE

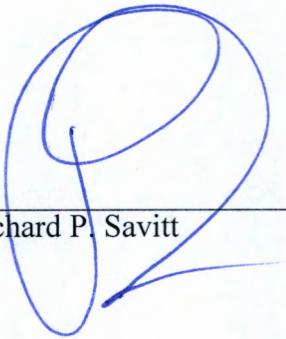
STATE OF NEW YORK)
 ss:
COUNTY OF NEW YORK)

Richard P. Savitt, being duly sworn deposes and says:

I am not a party to the action. I am over 18 yrs of age. I reside in New York, New York. October 5, 2016, I served Petitioner's counsel and Dual Groupe members with the enclosed letter in a post-paid wrapper by mail in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State addressed to each of the following persons at the last known address set forth after each name:

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