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Filing date: **07/02/2013**

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

Proceeding	91205774
Party	Plaintiff Baxano, Inc.
Correspondence Address	SUSAN L HELLER GREENBERG TRAUIG LLP 1840 CENTURY PARK E STE 1900 LOS ANGELES, CA 90067 UNITED STATES latm2@gtlaw.com, hellers@gtlaw.com, kimce@gtlaw.com
Submission	Request to Withdraw as Attorney
Filer's Name	Candice E. Kim
Filer's e-mail	latm2@gtlaw.com
Signature	/cek/
Date	07/02/2013
Attachments	Withdrawal from EM Oppositions.pdf(156283 bytes )

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

BAXANO, INC., a Delaware corporation,	)	
	)	
Opposer,	)	
	)	
vs.	)	
	)	
EXTREMITY MEDICAL, LLC, a New Jersey limited	)	Opposition No. 91-205,774
liability company,	)	Opposition No. 91-205,777
	)	Opposition No. 91-205,865
	)	
Applicant.	)	

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**PERMISSION TO WITHDRAW FROM REPRESENTATION**

The undersigned hereby requests permission to withdraw from representation of the Opposer, BAXANO, INC., in the above-proceedings pursuant to 37 C.F.R §§ 10.40(b)(4) and 11.116(a)(3). The client has discharged the undersigned counsel and in accordance with 37 C.F.R § 11.116(a) and TBMP 116.03, under such circumstances, withdrawal is mandatory.

The undersigned affirms that reasonable steps to avoid foreseeable prejudice to the rights of the Opposer pursuant to Trademark Rule 10.40(a) have been taken; the client has been notified of counsel's intention to withdraw and has had sufficient time to allow the client to employ another practitioner; any papers and property that relate to the proceeding and to which the client is entitled, have been delivered to the client. As evidenced by the attached Certificate of Service, a copy of this request has been sent to the Applicant and to the Opposer.

Respectfully submitted,



Dated: July 2, 2013

By:

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Susan L. Heller  
Candice E. Kim  
GREENBERG TRAUIG, LLP  
1840 Century Park East, Suite 1900  
Los Angeles, California 90067  
Tel: (310) 586-7700  
LATM2@gtlaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing **PERMISSION TO WITHDRAW FROM REPRESENTATION** upon Applicant's counsel by depositing one copy thereof in the U.S. Mail, First-Class, postage prepaid, on July 2, 2013, addressed as follows:

Michael J. Zinna, Esq.  
Ward & Zinna, LLC  
382 Springfield Ave., Suite 300  
Summit, NJ 07901-2707

and to

Rick Feiler  
Baxano, Inc.  
655 River Oaks Parkway  
San Jose, California 95134



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