


ESTTA Tracking number: **ESTTA564324**

Filing date: **10/10/2013**

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

Proceeding	91211854
Party	Defendant 5th Gear Sports, Inc.
Correspondence Address	HARRIS W. HENDERSON KILPATRICK TOWNSEND & STOCKTON LLP 1001 W 4TH ST WINSTON SALEM, NC 27101-2410 wstrademarks@ktslaw.com, tadmin@ktslaw.com, bbryner@ktslaw.com, hhenderson@ktslaw.com, jburns@ktslaw.com
Submission	Request to Withdraw as Attorney
Filer's Name	Harris W. Henderson
Filer's e-mail	tadmin@ktslaw.com, wbryner@ktslaw.com, jburns@ktslaw.com, hhenderson@ktslaw.com
Signature	/Harris W. Henderson/
Date	10/10/2013
Attachments	#4997469v1_US2008_ - Motion for Permission to Withdraw From Representation (5th GEAR & Design) - WorkSite Acrobat Integration.pdf(77985 bytes)

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

TUCKER-ROCKY CORPORATION, INC.,)	
)	
)	
Opposer,)	In the matter of Application
)	Serial No. 85/717,270
)	Mark:
v.)	
)	
5TH GEAR SPORTS, INC.,)	Opposition No. 91211854
)	
)	
Applicant.)	

MOTION FOR PERMISSION TO WITHDRAW FROM REPRESENTATION

Pursuant to 37 C.F.R. §§ 2.19(a) and 11.116(d), counsel for 5th Gear Sports (“Applicant”) respectfully requests leave to withdraw from representation of Applicant in this matter.

Applicant has elected to proceed *pro se* in this matter. As required by 37 C.F.R. § 11.116(d), the undersigned has taken reasonable steps to avoid foreseeable prejudice to Applicant’s rights, including (1) delivering to Applicant all papers and property to which Applicant is entitled; and (2) notifying Applicant of the deadline of October 11, 2013 for Applicant to file its Answer in this Opposition.


Therefore, the undersigned respectfully request that this motion be granted.

Respectfully submitted,

/Harris W. Henderson/

Harris W. Henderson
KILPATRICK TOWNSEND & STOCKTON LLP
1001 West Fourth Street
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336 607-7500
Attorney for Opposer

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing MOTION FOR PERMISSION TO WITHDRAW FROM REPRESENTATION has been served on counsel for Opposer by mailing a copy on October 10, 2013, via first Class Mail to:

Kay Lyn Schwartz
Gardere Wynne Sewell, LLP
1601 Elm Street, Suite 3000
Dallas, Texas 75201

/Harris W. Henderson/
Harris W. Henderson
Attorney for Opposer