

ESTTA Tracking number: **ESTTA779293**

Filing date: **10/26/2016**

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

Proceeding	91229067
Party	Defendant Kurt Schemers
Correspondence Address	RICK RUZ RICK RUZ PLLC 300 SEVILLA AVENUE, SUITE 301 CORAL GABLES, FL 33134 UNITED STATES
Submission	Request to Withdraw as Attorney
Filer's Name	Francis John Ciaramella, Esquire
Filer's e-mail	francis@ruzlaw.com, rickruz@ruzlaw.com
Signature	/Francis John Ciaramella/
Date	10/26/2016
Attachments	Motion to Withdraw.pdf(91478 bytes)

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

MINNESOTA PUBLIC RADIO,

Opposer,

vs.

Opposition No. 91229067

KURT SCHEMERS,

Applicant.

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

MOTION TO WITHDRAW AS ATTORNEY

Pursuant to Sections 116.02 and 116.03 of the Trademark Trial and Appeal Board Manual of Procedure as well as 37 C.F.R. § 10.40, the undersigned attorney and the firm of Rick Ruz, PLLC (“Attorneys”), moves to withdraw as attorneys for the Applicant KURT SCHEMERS (“Client”) in this matter and show as follows:

1. This request for permissive withdrawal is made because: (1) the Client’s conduct renders it unreasonably difficult for the practitioner to carry out the employment effectively; and (2) the Client has failed to honor an agreement to pay a retainer in advance of the performance of legal services.
2. The undersigned has given due notice to the Client to allow for employment of another practitioner.
3. The Attorneys are not in possession of any papers or property related to the proceedings to which the Client is entitled.

4. The Attorneys have not received a fee in advance that has not been earned.
5. The undersigned requests that the proceedings and any relevant deadlines be temporarily suspended for a period of 30-days to allow Client sufficient time to find new counsel in this case.
6. Additionally, the undersigned respectfully requests that any new pleadings or papers be served directly to the Client at the following address:

Kurt Schemers
40001 N Curie Ct
Phoenix, AZ 85085
kschemers@gmail.com

Wherefore, Attorneys request to be relieved from any further responsibility in this matter.

RICK RUZ, PLLC
Counsel for the Applicant
300 Sevilla Avenue
Suite 301
Coral Gables, Florida 33134
Telephone No. 305-921-9326
Facsimile No. 888-506-2833

By: Francis J. Ciaramella/
Francis John Ciaramella, Esquire
Florida Bar No. 111927

Dated: October 26, 2016

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via email by previous agreement upon the following:

Kurt Schemers
40001 N Curie Ct
Phoenix, AZ 85085
kschemers@gmail.com

and

Peter M. Routhier
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402
Peter.routhier@faegrebd.com

By: /s/ Francis J. Ciaramella

Francis John Ciaramella, Esq.
Florida Bar No. 11927

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Dated: October 26, 2016