

ESTTA Tracking number: **ESTTA861078**

Filing date: **11/28/2017**

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

Proceeding	91237795
Party	Defendant Ewing, Theron, Russell, Gary
Correspondence Address	RUTH KHALSA LegalForce RAPC Worldwide, P.C. 446 E SOUTHERN AVE TEMPE, AZ 85282 Email: trademarks@legalforce.com
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Date	11/28/2017
Attachments	ARES Motion to Withdraw.pdf(169329 bytes )

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

In the Matter of Application Serial No. 87105271

For the Mark A.R.E.S.

Filed on July 15, 2016

Published on July 18, 2017

<p><b>ERES,</b></p> <p><b>Opposer/Plaintiff,</b></p> <p><b>v.</b></p> <p><b>Theron Ewing and Gary Russell,</b></p> <p><b>Applicants/Defendants.</b></p>	<p><b>Opposition No. 91237795</b></p>
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**MOTION FOR WITHDRAWAL BY ATTORNEYS**

The undersigned attorney and law firm hereby request permission to withdraw as counsel for Applicants Theron Ewing and Gary Russell (“Applicants”), pursuant to 37 C.F.R. § 10.40(c), Trademark Rule of Practice § 2.19(b), and the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 513.01. The grounds for the withdrawal are as follows:

Applicants have been unresponsive to undersigned counsel’s attempts to communicate with its clients relating to this case. Applicants have likewise failed to provide to counsel the necessary materials to file an answer to the Opposer’s Notice of Opposition, and have failed to otherwise cooperate with counsel to prepare a defense.

In accordance with 37 C.F.R. §10.40(a), the undersigned attorney has taken reasonable steps to avoid foreseeable prejudice to the rights of the Applicants, including giving due notice to the Applicants and allowing time for employment of other counsel.

The above-captioned proceeding is currently still in the Pleading period, which is not scheduled to close until December 24, 2017. All papers and property to which Applicants are entitled have been delivered to Applicants. In addition, all unearned portions of the retainer have been refunded to the Applicants.

The email address for the Applicants in this proceeding should be updated to [aliuspnukk1313@gmail.com](mailto:aliuspnukk1313@gmail.com).

Wherefore, the undersigned counsel and law firm request to be relieved of all responsibility regarding the above-captioned proceeding.

Respectfully submitted,

Dated: November 28, 2017

/s/ Ruth Khalsa  
Ruth Khalsa  
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*Attorneys for Applicants*

**CERTIFICATE OF SERVICE**

I certify that on the day of November 28, 2017, a true copy of the foregoing **MOTION FOR WITHDRAWAL BY ATTORNEYS** is being served by electronic mail addressed as follows:

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