

ESTTA Tracking number: **ESTTA1165215**

Filing date: **10/12/2021**

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

Proceeding	91253873
Party	Defendant Hair Codes
Correspondence Address	MARK C JOHNSON 111 N PINE ISLAND ROAD, SUITE103 PLANTATION, FL 33324 UNITED STATES Primary Email: MJ@JohnsonDalal.com 954-507-4500
Submission	Request to Withdraw as Attorney
Filer's Name	Mark C. Johnson
Filer's email	Info@JohnsonDalal.com
Signature	/Mark C. Johnson/
Date	10/12/2021
Attachments	Motion to Withdraw - Exhibits.pdf(567606 bytes )

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

The Procter & Gamble Company,

Opposer,

v.

Hair Codes LLC,

Applicant.

Opposition No. 91253873

Mark: HAIR CODES

U.S. Application Serial No. 88524984

Application Filing Date: July 19, 2019

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL FOR APPLICANT**

Attorney Mark C. Johnson, on behalf of the firm of Johnson | Dalal and all attorneys making an appearance on behalf of Applicant in the above-captioned case (collectively “the Firm”), hereby files this Motion to Withdraw (“Motion”) as counsel for Applicant Hair Codes LLC (“Applicant”) pursuant to 37 C.F.R. § 11.116 and TBMP § 513.01 and states as follows in support of withdrawal.

1. On February 4, 2020, Opposer The Procter & Gamble Company (“Opposer”) filed a notice of opposition in connection with this proceeding. *See* 1 TTABVUE.
2. The Firm filed a notice of appearance on March 9, 2020, on behalf of Applicant. *See* 6 TTABVUE.
3. Currently, there are no pending motions needing responses from Applicant and discovery is set to close on October 20, 2021. *See* 24 TTABVUE.
4. As such, withdrawal can be accomplished without material adverse effect to the interests of Applicant.
5. Undersigned submits that at least one of the grounds for withdrawal exist under 37 C.F.R. § 11.116(b) and that irreconcilable differences have arisen between the Firm and Applicant which prevent the Firm from adequately representing the interests of the Applicant.

6. The undersigned submits that no matters or immediate deadlines are currently pending in the proceeding that would cause Opposer prejudice by withdrawal of the Firm and by granting Applicant thirty (30) days to arrange for new counsel to make an appearance.

7. Applicant has been notified of this request for withdrawal and has been allowed time for employment of another practitioner.

8. All papers and property that relate to this proceeding and to which Applicant is entitled have been delivered to Applicant.

9. The unearned part of a fee paid in advance by Applicant has been refunded to Applicant.

10. Attached hereto as **Exhibit A** is proof of service of the request upon Applicant and upon every other party to the proceeding, namely, counsel for Opposer.

11. Accordingly, the Firm submits that good cause for withdrawal exists and respectfully requests that the Board grant the relief sought in this Motion and enter an Order providing for the withdrawal of all attorneys for the Firm as counsel of record for Applicant.

12. The current address for Applicant is: 8836 Southampton Dr., Miramar, FL 33025.

WHEREFORE, undersigned respectfully request that this Court enter an Order granting this Motion to Withdraw Mark Johnson and the firm of Johnson Dalal as counsel for Applicant Hair Codes LLC, and for such other and further relief as this Court deems just and proper.

Dated: October 12, 2021.

Respectfully Submitted,

**JOHNSON | DALAL**  
111 N. Pine Island Rd.  
Suite 103  
Plantation, Florida 33324  
Tel. (954) 507-4500  
Fax. (954) 507-4502

By: / Mark C. Johnson /  
Mark C. Johnson, Esq.  
*Florida Board Certified Expert in Intellectual Property Law*  
Fl. Bar No. 84365  
*Attorneys for Applicant/Defendant*

Email: [MJ@JohnsonDalal.com](mailto:MJ@JohnsonDalal.com)  
[Service@JohnsonDalal.com](mailto:Service@JohnsonDalal.com)  
[JT@JohnsonDalal.com](mailto:JT@JohnsonDalal.com)

**CERTIFICATE OF GOOD FAITH**

I hereby certify that the movant has conferred with counsel for Opposer and Opposer does not oppose the Motion to Withdraw.

By: /Mark C. Johnson/  
MARK C. JOHNSON, ESQ.  
FLORIDA BAR NO. 84365

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Notice has been served, on October 12, 2021, on Opposer by e-mailing the same to counsel of record for Opposer at [karen.gaunt@dinsmore.com](mailto:karen.gaunt@dinsmore.com), [govinda.davis@dinsmore.com](mailto:govinda.davis@dinsmore.com), [robin.bissantz@dinsmore.com](mailto:robin.bissantz@dinsmore.com), and [trademarks@dinsmore.com](mailto:trademarks@dinsmore.com) pursuant to 37 C.F.R. § 2.119.

By: /Mark C. Johnson/  
MARK C. JOHNSON, ESQ.  
FLORIDA BAR NO. 84365

**JOHNSON | DALAL**  
111 N. Pine Island Rd.  
Suite 103  
Plantation, Florida 33324  
[www.JohnsonDalal.com](http://www.JohnsonDalal.com)  
Tel: 954.507.4500  
Fax: 954.507.4502  
[Info@JohnsonDalal.com](mailto:Info@JohnsonDalal.com)  
[MJ@JohnsonDalal.com](mailto:MJ@JohnsonDalal.com)  
[JT@JohnsonDalal.com](mailto:JT@JohnsonDalal.com)  
*Attorneys for Applicant/Defendant*

# **EXHIBIT "A"**

**From:** [Veronika Balbuzanova](#)  
**To:** [Pascal Peng](#); [Analia Tyrell](#); [Silisa Bozeman](#)  
**Cc:** [Mark Johnson](#); [Jade Taylor](#)  
**Subject:** Motion to Withdraw\_Opposition Proceeding No. 91253873 (P&G v. Hair Codes)  
**Date:** Monday, October 11, 2021 8:07:46 PM  
**Attachments:** [Motion to Withdraw.pdf](#)

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Hello Hair Codes Team:

Please see the attached Motion to Withdraw, which we intend to file with the Board.

For access to your entire cancellation file (91253873), please follow this link: [Opposition Proceeding 91253873](#).

Thank you. Please let us know if you have any questions.

Best Regards,

Veronika Balbuzanova, Esq.  
***Associate Attorney***

**JOHNSON | DALAL**  
**PATENTS TRADEMARKS COPYRIGHTS**  
111 N. Pine Island Road  
Suite 103  
Plantation, FL 33324  
Office: (954) 507-4500  
Fax: (954) 507-4502  
[WWW.PATENTANDTRADEMARKLAW.COM](http://WWW.PATENTANDTRADEMARKLAW.COM)

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**From:** [Gaunt, Karen](#)  
**To:** [Veronika Balbuzanova](#); [Jade Taylor](#); [Mark Johnson](#)  
**Cc:** [Bissantz, Robin](#); [Frey, Michael](#)  
**Subject:** RE: Motion to Withdraw\_HAIR CODES (U.S. Opposition No. 91253873)  
**Date:** Monday, October 11, 2021 8:16:09 PM

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Dear Counsel,

P&G does not oppose the motion.

Kind regards,  
Karen

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**From:** Veronika Balbuzanova <VB@JohnsonDalal.com>  
**Sent:** Monday, October 11, 2021 8:10 PM  
**To:** Gaunt, Karen <Karen.Gaunt@DINSMORE.COM>; Jade Taylor <JT@JohnsonDalal.com>; Mark Johnson <MJ@JohnsonDalal.com>  
**Cc:** Bissantz, Robin <Robin.Bissantz@DINSMORE.COM>; Frey, Michael <michael.frey@dinsmore.com>  
**Subject:** Motion to Withdraw\_HAIR CODES (U.S. Opposition No. 91253873)

Dear Counsel:

Please advise if P&G opposes the attached motion to withdraw as counsel for Applicant in this proceeding. Thank you.

Best Regards,

Veronika Balbuzanova, Esq.  
*Associate Attorney*

**JOHNSON | DALAL**  
**PATENTS TRADEMARKS COPYRIGHTS**  
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Suite 103  
Plantation, FL 33324  
Office: (954) 507-4500  
Fax: (954) 507-4502  
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