

ESTTA Tracking number: **ESTTA1069648**

Filing date: **07/21/2020**

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

Proceeding	91256181
Party	Defendant Genius IP LLC
Correspondence Address	SEAN CLANCY EMERGE LAW GROUP 621 SW MORRISON ST , SUITE 900 PORTLAND, OR 97205 UNITED STATES Primary Email: sean@emergelawgroup.com No phone number provided.
Submission	Request to Withdraw as Attorney
Filer's Name	Sean Clancy
Filer's email	sean@emergelawgroup.com
Signature	/Sean Clancy/
Date	07/21/2020
Attachments	Withdraw 91256181.pdf(80089 bytes)

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

Sens3s, LLC, Plaintiff)	
)	Opposition No. 91256181
)	
v.)	Marks: DAY ONE
)	DAY 1
)	
Genius IP LLC, Defendant)	Serial Nos. 88317066
)	88317056
)	

MOTION REQUESTING TO WITHDRAW AS COUNSEL

Pursuant to Trademark Rule 2.19(b), 37 CFR § 2.19, and 37 CFR § 11.116, Sean Clancy of Emerge Law Group hereby requests permission to withdraw from representation of Defendant in Cancellation No. 91256181, showing the Board as follows:

1. Counsel for Defendant, Sean Clancy and the law firm Emerge Law Group, desire to withdraw from representation of Defendant in the above captioned matter.
2. The request to withdraw is based on 37 CFR §§ 11.116(b)(1), (b)(5), and (b)(7). Counsel believes that withdrawal can be accomplished without material adverse effect on the interests of the client. Good cause for withdrawal exists.
3. Defendant has failed to substantially communicate with Counsel regarding Counsel's services and has been given reasonable warning that Counsel will withdraw. Defendant is delinquent in payment of legal fees owed. Counsel is

withdrawing from employment.

4. Counsel has notified Defendant of Counsel's intention to withdraw from employment and has allowed time for Defendant to hire another practitioner if desired.
5. Counsel has taken steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled.
6. All papers and property that relate to applications, registrations or proceedings to which the Defendant is entitled have been made available to Defendant.
7. Counsel has notified Defendant of any responses that may be due and the deadlines for those responses.
8. There is no part of the legal fees paid that have not been earned.
9. Attached is proof of service of the request to withdraw upon the Defendant and all other parties to the Opposition.
10. This request to withdraw from representation is not a subterfuge to obtain an extension or reopening of time.

Dated: July 21, 2020

Respectfully submitted,

By: /Sean Clancy/
Sean Clancy
Emerge Law Group
621 SW Morrison St , Suite 900
Portland, OR 97205
sean@emergelawgroup.com
Attorney for Defendant

CERTIFICATE OF SERVICE

Service Upon Defendant:

This is to certify that a copy of this MOTION REQUESTING TO WITHDRAW AS COUNSEL is being served via email on July 21, 2020 to Defendant addressed as follows:

Oleg Flaksman <oleg@oinvestigations.com>; GLS <glsppear@gmail.com>; Gary Shinder <gary.shinder@geniusfund.com>; David B. Golubchik <DBG@lnbyb.com>

Service Upon Other Parties:

This is to certify that a copy of this MOTION REQUESTING TO WITHDRAW AS COUNSEL is being served via email on July 21, 2020 to the counsel of record addressed as follows:

Luisa Bonachea <luisa@reidylawgroup.com>, Dan Reidy <dan@reidylawgroup.com>, Tara Doran Mucitelli <tara@reidylawgroup.com>

/SKC/

Sean Clancy
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Attorney for Defendant