

ESTTA Tracking number: **ESTTA1416990**Filing date: **02/21/2025**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91281704
Party	Defendant Creative Kids Online LLC
Correspondence address	ANDREW D. BOCHNER BOCHNER IP, PLLC 295 MADISON AVENUE 12TH FLOOR NEW YORK, NY 10017 UNITED STATES Primary email: andrew@bochnerip.com Secondary email(s): uspto@bochnerip.com 646-971-0685
Submission	Request to Withdraw as Attorney
Filer's name	Andrew D. Bochner
Filer's email	andrew@bochner.law, litparalegals@bochner.law
Signature	/Andrew D. Bochner/
Date	02/21/2025
Attachments	Creative Kids TTAB Mot. to Withdraw.pdf(81486 bytes)

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

**In the Matter of Trademark Applications Serial No. 97024919 & 97025034
Mark: CREATIVE FLAKES and CREATIVE KIDS FLAKES**

VIAHART LLC

Opposer

Opposition No. 91281704

v.

CREATIVE KIDS ONLINE LLC

Applicant

MOTION TO WITHDRAW AS COUNSEL

Bochner PLLC, counsel for CREATIVE KIDS ONLINE, LLC (“Applicant”) and Application No. 97024919 (for the mark “CREATIVE FLAKES”) and Application No. 97025034 (for the mark “CREATIVE KIDS FLAKES”), hereby requests permission to withdraw as counsel pursuant to 37 C.F.R. § 2.19(b), 37 C.F.R. § 11.116(b), and the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 513.01.

As grounds for withdrawal, Bochner PLLC submits that (i) Applicant agreed and consented to Bochner PLLC’s withdrawal; and (ii) said withdrawal can be accomplished without material adverse effect on Applicant’s interests.

Additionally, in accordance with C.F.R. §11.116(d), Bochner PLLC has taken reasonable steps to protect Applicant’s interests, which includes: (i) providing reasonable notice of withdrawal to Applicant; (ii) providing ample time for employment of other counsel; (iii) providing papers and property that relate to the proceeding and to which Applicant is entitled.

Bochner PLLC further confirms that (i) there are no unearned fees that would need

to be refunded to Applicant and (ii) this withdrawal request has been served upon Applicant and upon every other party to the proceeding.

The email address for Applicant in this proceeding should be updated to david@creativekids.com, and Applicant's mailing address is: 750 Chestnut Ridge Road, Suite 301 Chestnut Ridge, NY 10977. Wherefore, the undersigned law firm requests to be permitted to withdraw from representation in the above-captioned proceeding and the underlying Appl. No. 97024919 and Appl. No. 97025034.

Dated: February 21, 2025

/Andrew D. Bochner/

Andrew D. Bochner, Esq.
Bochner PLLC
1040 Avenue of the Americas
15th Floor
New York, NY 10018
(646) 971-0685
andrew@bochner.law

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Applicant

To: Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

I hereby certify that a true and complete copy of the foregoing MOTION TO WITHDRAW AS COUNSEL has been served on opposing counsel by electronic mail on February 21, 2025.

jcreeon@scalefirm.com

/Andrew D. Bochner/
Andrew D. Bochner, Esq.
Attorney for Applicant