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Filing date: **05/22/2009**

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

Proceeding	91179079
Party	Defendant Premier Alive, Inc.
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Submission	Request to Withdraw as Attorney
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Date	05/22/2009
Attachments	3421op-05-22-09 Motion to Withdraw.pdf (2 pages)(63633 bytes)

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

In the matter of Application Serial No. 78/972,826
For the mark PREMIER ALIVE; and

In the matter of U.S. Mark Serial No. 77693231
For the mark ALIVE!

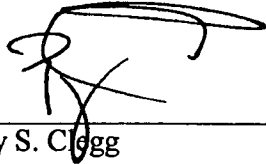
Nature's Way Products, Inc.,)	Opposition No. 91179079
)	Mark: PREMIER ALIVE
vs.)	
)	Cancellation No. 92047568
Premier Alive, Inc.,)	Mark: ALIVE!
)	
A-Alive Foods, Inc. and)	
Premier Alive, Inc.)	
)	
vs.)	
Nature's Way Products, Inc.)	
_____)	

MOTION TO WITHDRAW AS REPRESENTATIVES

Pursuant to 37 CFR § 10.40 (c) and TBMP § 513.01, Perry S. Clegg, Randall B. Bateman, and the law firm of BATEMAN IP LAW GROUP, counsel for Applicant/Petitioner Premier Alive, Inc. ("Premier Alive"), hereby respectfully request to withdraw as the representatives for Premier Alive in the above-captioned matters. The basis for Applicant's counsels' request to withdraw is for the reasons set forth in 37 CFR § 10.40(c)(1)(iv) and (vi). Counsel for Premier Alive have notified Premier Alive of counsels' desire and intent to withdraw from employment by Premier Alive as counsel in this matter and have advised Premier Alive to seek new counsel. Counsel advised Premier Alive of their desire to withdraw from this matter

with a reasonable amount of time for Premier Alive, if Premier Alive so desired, to employ new counsel. Full copies of Premier Alive's files with respect to this matter have been sent to Premier Alive. No unearned fees have been retained by Premier Alive's counsel.

Respectfully submitted this 22nd day of May, 2009.



Perry S. Clegg

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing MOTION TO WITHDRAW AS REPRESENTATIVES and this CERTIFICATE OF SERVICE were served on Opposer/Counter-Respondent and upon Applicant by mailing true copies thereof on this 22nd day of May, 2009, in envelopes addressed as follows:

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Workman Nydegger
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Wayne LeBaron
LeTrisha LeBaron
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Perry S. Clegg