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

Proceeding	92057182
Party	Plaintiff Stephen R. Enos
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Submission	Other Motions/Papers
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Date	03/01/2016
Attachments	Enos.Amended Response Designation of Lead Counsel. Dec 10 Order.pdf(63592 bytes)

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

STEPHEN R. ENOS,

Petitioner,

v.

INSOMNIAC HOLDINGS, LLC,

Respondent.

Consolidated Proceeding:

Cancellation No. 92057182 (parent)

Cancellation No. 92061310

and

GARY RICHARDS,

Petitioner,

v.

INSOMNIAC HOLDINGS, LLC,

Registrant

**AMENDED RESPONSE TO BOARD'S DECEMBER 10, 2015 ORDER
CONCERNING DESIGNATION OF LEAD COUNSEL**

Previously in response to the Board's December 10, 2015 Order requiring Petitioners to "appoint one lead counsel to supervise and coordinate the conduct of their cases and to file a paper with the Board indicating the appointment," Petitioner Stephen Enos and Petitioner Gary Richards, by and through their respective counsel, submitted a joint response designating Jason D. Jones, Esq. of Fross, Zelnick, Lehrman & Zissu, P.C. as lead counsel for Petitioners. Thereafter, a notice of substitution of counsel and a notice of withdrawal of counsel was filed by


which Lawrence Y. Iser, Gregory Korn, and Gregory Gabriel of Kinsella Weitzman Iser Kump & Aldisert LLP, 808 Wilshire Boulevard Third Floor, Santa Monica, California, 90401, substituted into the case for the law firm of Fross, Zelnick as counsel for Petitioner Gary Richards. In light of Fross, Zelnick's withdrawal as counsel, Petitioners submit this revised statement designating lead counsel in accordance with the Board's December 10, 2015 Order.

Pursuant to the Board's Order, Petitioners hereby appoint Christopher L. Rudd, Esq. of The Rudd Law Firm, P.C., 15233 Ventura Boulevard, Suite 320, Sherman Oaks, California 91403 as lead counsel for Petitioners in this consolidated action. For the avoidance of doubt, such designation of a lead counsel is solely for purposes of the Board's December 10, 2015 Order. Petitioners recognize and agree that Mr. Rudd is not taking on any substantive responsibility to represent Petitioner Gary Richards in this action.

While Petitioners agree that only one official copy of any Board communication need be sent to Mr. Rudd, they respectfully request that the Board use the emails of both counsel for Petitioner Stephen Enos and counsel for Petitioner Gary Richards when issuing orders and rulings on TTABVUE.

Dated: February 29, 2016


KINSELLA WEITZMAN ISER
KUMP & ALDISERT LLP

By: 
Lawrence Y. Iser
Gregory P. Korn
Gregory S. Gabriel
ATTORNEYS FOR PETITIONER
GARY RICHARDS

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

Dated: February 29, 2016

THE RUDD LAW FIRM, P.C.

By: 
Christopher L. Rudd
Jinny Ahn Cain
ATTORNEYS FOR PETITIONER
STEPHEN ENOS

CERTIFICATE OF SERVICE

Pursuant to C.R.F § 2.11, I hereby certify that a true and correct copy of the foregoing **Amended Response to Board's Dec. 10, 2015 Order Concerning Designation of Lead Counsel** was served, via U.S. mail, on Registrant. I am over the age of 18 and not a party to the within action. My business address is 15233 Ventura Blvd, Suite 320 Sherman Oaks, CA 91403. I served the within document on the interested parties in this action as follows:

Christopher Varas, Esq.
Kilpatrick Townsend & Stockton LLP
1420 Fifth Avenue, Suite 4400
Seattle, WA 98101
Email: cvaras@kilpatricktownsend.com

Larry McFarland, Esq.
Kilpatrick Townsend & Stockton LLP
9720 Wilshire Blvd. Penthouse
Beverly Hills, CA 90212

BY U.S. Mail

I declare under penalty of perjury under the laws of the United States and the State of California that the above is true and correct. I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 1, 2016 at Sherman Oaks, California.

/s/Jinny Cain

Jinny Cain