

ESTTA Tracking number: **ESTTA985890**

Filing date: **07/08/2019**

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

Proceeding	92063886
Party	Plaintiff TruRating Ltd.
Correspondence Address	DANIEL E SINEWAY MORRIS MANNING & MARTIN LLP 3343 PEACHTREE ROAD NE, 1600 ATLANTA FINANCIAL CENTER ATLANTA, GA 30326 UNITED STATES dsineway@mmmlaw.com, lstrasburger@mmmlaw.com, ipdock- et@mmmlaw.com 404-233-7000
Submission	Request to Withdraw as Attorney
Filer's Name	Daniel E. Sineway
Filer's email	ipdoCKET@mmmlaw.com, dsineway@mmmlaw.com, aklein@mmmlaw.com
Signature	/Daniel E. Sineway/
Date	07/08/2019
Attachments	31177-119056 Petition to Withdraw as Attorney - Can. No. 92063886.pdf(21325 bytes)

Attorney Docket No.: 31177-119056

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

In re the Registration of:

Mark: TRURATINGS
Application Serial No.: 85/503,828
Registration No.: 4,423,790
Filed: December 26, 2011
Published in the Official Gazette
of August 13, 2013
Registered: October 29, 2013

TruRating Ltd.,)
)
 Petitioner,)
)
 v.)
)
Adam Summers,)
)
 Registrant.)
_____)

Cancellation No. 92063886

Trademark Trial and Appeal Board
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

REQUEST TO WITHDRAW AS COUNSEL OF RECORD FOR PETITIONER

PLEASE TAKE NOTICE that the law firm of MORRIS, MANNING & MARTIN, LLP, with an address of 1600 Atlanta Financial Center, 3343 Peachtree Road, N.E., Atlanta, Georgia, 30326, pursuant to TBMP § 513.01, hereby requests to withdraw as counsel of record for Petitioner, TruRating Ltd. (hereinafter “Petitioner”).

Because of irreconcilable differences between Petitioner and undersigned counsel, the law firm of Morris, Manning & Martin, LLP and its lawyers move for permission to immediately

withdraw as counsel. Specifically, pursuant to 37 C.F.R. § 11.116(b)(5)-(6), Petitioner fails substantially to fulfill an obligation to the practitioner regarding the practitioner's services and has been given reasonable warning that the practitioner will withdraw unless the obligation is fulfilled, and the representation will result in an unreasonable financial burden on the practitioner.

Pursuant to 37 C.F.R. § 11.116(d), the undersigned counsel has notified Petitioner of its intent to withdraw and has taken reasonable steps to avoid foreseeable prejudice to the rights of Petitioner by immediately notifying Petitioner of the upcoming deadlines and setting of the trial schedule by the Trademark Trial and Appeal Board. The undersigned counsel has delivered to Petitioner a copy of all papers and property in its possession to which Petitioner is entitled, and the undersigned counsel is in compliance with all applicable laws and rules. Further, undersigned counsel confirms that no fees have been paid in advance of this representation and thus there is no unearned portion to be refunded.

WHEREFORE, the undersigned counsel respectively requests an order granting this Request to Withdraw as Counsel of Record for Petitioner and further granting Petitioner at least thirty days to secure new counsel.

Dated: July 3, 2019

Respectfully submitted,

By: /s/ Daniel E. Sineway
Daniel E. Sineway
Morris, Manning & Martin LLP
1600 Atlanta Financial Center
3343 Peachtree Rd. NE
Atlanta, GA 30326
(404) 233-7000

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing REQUEST TO WITHDRAW AS COUNSEL OF RECORD FOR PETITIONER was served by transmitting an electronic copy of the same, on July 3, 2019, pursuant to 37 C.F.R. § 2.119(b), to Registrant's attorney of record and Petitioner, TruRating, Ltd., at the following email addresses:

Alisa C. Simmons
Fitch Even Tabin & Flannery LLP
asimmons@fitcheven.com

TruRating, Ltd.
Attn: Georgina Nelson and Denis Maharjan
georgina.nelson@trurating.com; denis.maharjan@trurating.com

Dated: July 8, 2019

By: /s/Daniel E. Sineway
Daniel E. Sineway
Morris, Manning & Martin LLP
1600 Atlanta Financial Center
3343 Peachtree Rd. NE
Atlanta, GA 30326
(404) 233-7000