

ESTTA Tracking number: **ESTTA1273428**

Filing date: **03/21/2023**

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

Proceeding no.	92081480
Party	Defendant BFrank, LLC
Correspondence address	JORDAN B FRANKLIN KEARNEY MCWILLIAMS & DAVIS PLLC 55 WAUGH DR, SUITE 150 HOUSTON, TX 77007 UNITED STATES Primary email: jfranklin@kmd.law Secondary email(s): trademarks@kmd.law 713-893-0469
Submission	Request to Withdraw as Attorney
Filer's name	Jordan B. Franklin
Filer's email	jfranklin@kmd.law, trademarks@kmd.law
Signature	/Jordan B. Franklin/
Date	03/21/2023
Attachments	B Frank Motion to Withdraw as Counsel.pdf(80214 bytes)

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

Frank August, LLLP	§	Cancellation No. 92081480
Petitioner,	§	
v.	§	In the matter of Registration
	§	
BFrank, LLC	§	No. 6291012
Respondent.	§	
	§	Mark: BFrank

MOTION TO WITHDRAW AS COUNSEL

COMES now the undersigned attorney, Jordan B. Franklin (herein “Applicant’s Counsel”) of Kearney, McWilliams and Davis, PLLC (herein “KMD”), counsel for Registrant, BFrank LLC, hereby requests permission to withdraw as counsel pursuant to 37 C.F.R. §2.19, 37 C.F.R. §11.116 and the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) §513.01.

Withdrawal can be accomplished without any material adverse effect on the interests of the Applicant. This proceeding is currently suspended pending a decision by the board for previously submitted motions and Registrant has been promptly notified of counsel’s withdrawal.

Additionally, in accordance with C.F.R. §11.116(d), Registrant’s Counsel has taken reasonable steps to protect the Registrant’s interests. These steps include: (i) providing reasonable notice of withdrawal to the Registrant (Registrant’s counsel has had calls and emails with Registrant, who is fully aware of the pending cancellation and Counsel’s intent to withdraw) (ii) Notifying client counsel will be terminating employment with the firm of record, to which client has elected to no longer be represented. (iii) promptly notifying Registrant which has allowed Registrant the opportunity to retain new counsel and (iv) providing papers and property that relate to the proceeding and to which the Registrant is entitled.

Wherefore, the undersigned law firm requests to be permitted to withdraw from representation in the above-captioned proceeding.

Dated: March 21, 2023

Respectfully Submitted,

By: /Jordan B. Franklin/
Jordan B. Franklin
John Davis
Bradley Nevils

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Attorneys for Registrant

CERTIFICATE OF SERVICE

I, Jordan B. Franklin, hereby certify that on March 21, 2023 , I served a true and correct copy of the foregoing MOTION TO WITHDRAW as Counsel by electronic mail to:

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Counsel for Petitioner

/Jordan B. Franklin/
Jordan B. Franklin