

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Ryan/Baez

Mailed: September 17, 2002

Opposition No. 150,304

STERLING SOFTWARE, INC.

v.

COOL PARTNERS, INC.

Before Karyn K. Ryan, Interlocutory Attorney
Trademark Trial and Appeal Board.

**MOTION TO WITHDRAW GRANTED; PROCEEDINGS SUSPENDED; APPLICANT
ALLOWED THIRTY DAYS TO APPOINT SUCCESSOR COUNSEL OR
OTHERWISE NOTIFY THE BOARD**

On June 20, 2002, applicant's attorney Robin A. Brooks of Munsch Hardt Kopf & Harr, P.C. filed a request to withdraw as applicant's counsel of record in this case.¹

The request to withdraw as counsel is in compliance with the requirements of Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40, and is accordingly **granted**. Robin A. Brooks and the law firm of Munsch Hardt Kopf & Harr, P.C.

¹ A copy of said request has been placed in both the opposition file and the application file.

Applicant's motion to withdraw fails to indicate proof of proper service on opposer as required by Trademark Rule 2.119. In order to expedite matters, a courtesy copy of the motion to withdraw is being mailed to opposer with opposer's copy of this order. Notwithstanding, strict compliance with Trademark Rule 2.119 is required by applicant in future papers filed herein. The Board may not consider future papers of applicant that fail to include proper proof of

no longer represent applicant in this proceeding. Under the circumstances and, in the absence of a proper written appointment or appearance of successor trademark counsel, **correspondence herein will now be held directly with applicant's trustee and sent to:**

Robert Yaquinto, Jr.
Trustee for Cool Partners, LLC
Sherman & Yaquinto, LLP
509 North Montclair Avenue
Dallas, Texas 75208-5498

Applicant is allowed until thirty days from the mailing date stamped on page one of this order to appoint new counsel, or to file a paper stating that applicant chooses to represent itself and to receive Board correspondence directly. If applicant files no response, the Board will presume that applicant's trustee will now serve as applicant's legal representative in this proceeding.

Except as otherwise provided above, proceedings remain **suspended** in accordance with the Board's June 13, 2002 order and the parties will be notified by the Board when proceedings are resumed, and dates will be rescheduled at the appropriate time.

A copy of this order has been sent to all addresses listed below.

* * * * *

cc: Robin A. Brooks
Munsch Hardt Kopf & Harr, P.C.
4000 Fountain Place
1445 Ross Avenue
Dallas, TX 75202-2790

Robert Yaquinto, Jr.
Trustee for Cool Partners, LLC
Sherman & Yaquinto, LLP
509 North Montclair Avenue
Dallas, Texas 75208-5498

Anita Nesser
Baker Botts, LLP
2001 Ross Avenue
Suite 600
Dallas, Texas 75201-2980

Cool Partners, Inc.
1212 East Arapaho
Richardson, Texas 75081