

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

ALEXANDER LITZ,
Appellant

v.

TECH GURU, LLC,
Appellee

2021-2375

Appeal from the United States Patent and Trademark Office, Trademark Trial and Appeal Board in No. 91214713.

ON MOTION

PER CURIAM.

O R D E R

Alexander Litz moves to voluntarily withdraw his appeal “without the imposition of cost or attorney fees.” Mot. at 1. Tech Guru, LLC responds and “does not object to [Mr.] Litz’s withdrawal of his appeal, but it disagrees with [Mr.] Litz’s request that such withdrawal occur without the imposition of costs or attorney fees” because it “continues to believe that [Mr.] Litz’s appeal is frivolous and that it has

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been pursued for purposes of vexatiousness.” ECF No. 38 at 1.

Upon consideration thereof,

IT IS ORDERED THAT:

The court has sua sponte determined that the award of attorneys’ fees and costs is not appropriate. Mr. Litz’s motion is granted to the extent the appeal is dismissed with each party to bear its own costs.

FOR THE COURT

September 15, 2022
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

ISSUED AS A MANDATE: September 15, 2022