

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

WRITER

Mailed: March 7, 2003

Opposition No. 91122310

THE MOTLEY FOOL, INC.

v.

JOHN R. FIACO

Applicant's second motion to dismiss (filed June 24, 2002) is hereby granted as conceded.<sup>1</sup> See Trademark Rule 2.127(a) and Fed. R. Civ. P. 12(b).

Accordingly, the opposition is dismissed with prejudice.

***By the Trademark Trial  
and Appeal Board***

---

<sup>1</sup> Opposer's consented motion to extend its time until November 7, 2002 to respond to applicant's second motion to dismiss was approved by the Board on November 29, 2002. However, opposer never filed a response.