

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Baxley

Mailed: February 7, 2008

Opposition No. 91178747

Mine Design, a d.b.a. of Amal
Flores

v.

Votivo, Ltd. and Votivo, LLC
(joined as a party defendant)

Andrew P. Baxley, Interlocutory Attorney:

On January 30, 2008, Votivo, Ltd. ("Ltd.") filed a motion to substitute Votivo, LLC ("LLC") as party defendant and applicant herein. In that motion, Ltd. noted that an assignment of involved application Serial No. 76613881 from Ltd. to LLC was executed on September 28, 2007, i.e., after the commencement of this proceeding, and recorded with the USPTO's Assignment Branch at Reel 3650, Frame 0802.

Inasmuch as the assignment occurred after the commencement of this case, joinder, rather than substitution, of LLC is appropriate. See TBMP Section 512.01 (2d ed. rev. 2004). Accordingly, LLC is joined as party defendant herein.

Discovery and testimony periods remain as set in the Board notice instituting this proceeding.

