

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

DUNN

Mailed: May 14, 2014

Opposition No. 91214938

Baldor Electric Company

v.

KSB Aktiengesellschaft

Elizabeth A. Dunn, Attorney:

Proceedings are suspended pending disposition of applicant's motion, filed May 12, 2014, to dismiss the amended notice of opposition.

The initial notice of opposition was filed February 17, 2014. On March 31, 2014, applicant filed a motion to dismiss. On April 21, 2014, opposer filed an amended notice of opposition. A party to an inter partes proceeding before the Board may amend its pleading once as a matter of course at any time before a responsive pleading is served. Fed. R. Civ. P. 15(a). Accordingly, opposer's amended notice of opposition is accepted, and is the operative pleading.¹ Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. See Trademark Rule 2.127(d). The motion to dismiss will be decided in due course.

¹ Because the original notice of opposition no longer is the operative pleading, the Board will not consider the motion to dismiss the original notice of opposition.