

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Mailed: August 24, 2015

Opposition No. 91215637

MSC Services Corp. and Sid Tool Co., Inc.
dba MSC Industrial Supply Co.

v.

Pro-Mart Industries, Inc.

By the Trademark Trial and Appeal Board:

Applicant's motion to dismiss (filed June 23, 2015) for failure to state a claim under Fed. R. Civ. P. 12(b)(6) is granted as conceded.¹ *See* Trademark Rule 2.127(a) Accordingly, the opposition is dismissed with prejudice.

¹ Accordingly, Applicant's motion in the alternative to strike is moot.