

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

Taylor

Mailed: March 8, 2005

Cancellation No. 92043753

Ernestina Castro, S.A. de C.V.

v.

Doceira Campos Do Jordao Ltda.

Jyll S. Taylor, Attorney:

On January 31, 2005, petitioner filed a combined motion to amend its petition for cancellation to claim ownership of a registration and for suspension of this proceeding pending the Board's decision on the motion to amend.¹

The record shows no response by respondent to the motion to amend.

Accordingly, petitioner's motion to amend the petition for cancellation is granted as conceded and petitioner's concurrently filed amended petition for cancellation is now petitioner's operative pleading in this case. See Fed. R. Civ. P. 15 and Trademark Rule 2.127(a). Respondent is allowed until **thirty days** from the mailing date of this

¹ The Board notes petitioner's withdrawal of its motion to suspend filed January 31, 2005. Accordingly, no further consideration will be given to the motion to suspend.

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order to file an answer to the amended petition for
cancellation.

Discovery and trial dates remain as set in the Board's
October 7, 2004 institution order.

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