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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91205049
Party	Defendant Paleteria La Michoacana, LLC
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Signature	/Laura L. Chapman/
Date	12/02/2019
Attachments	PLM Resp Order 09-30-19 Assignment Opp. 91205049-093-466-468.pdf(19693 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PRODUCTOS LACTEOS TOCUMBO S.A.)	
DE C.V.,	)	Opposition Nos. 91205049 (parent)
	)	91205093
Opposer/Applicant,	)	91205466
	)	91205468
vs.)	
	)	RESPONSE TO ORDER DATED
PLM OPERATIONS, LLC,	)	SEPTEMBER 30, 2019 WITH
formerly known as	)	REGARD TO ASSIGNMENT OF
<i>PALETERIA LA MICHOACANA, LLC</i> and	)	APPLICATION SERIAL
<i>PALETERIA LA MICHOACANA, INC.</i>	)	NOS. 85/405,347 (LA MICHOANA
	)	words only) AND 85/408,561 (LA
Applicant/Opposer.	)	MICHOACANA NATURAL +
	)	DESIGN)
)	
)	

This is a consolidated proceeding involving four applications.

Two of the applications are Application Serial Nos. 85378387 and 85393112; these are owned by PLM Operations, LLC.

The other two applications are Application Serial Nos. 85405347 and 85408561; these are owned by Productos Lacteos Tocumbo, S.A. DE C.V.

On September 30, 2019, the Board issued an order denying Prolecto's motion for summary judgment as premature. The Board's order further states that:

“Applicant's involved application Serial Nos. 85378387 and 85393112 have been assigned to PLM Operations, LLC. On the other hand, there is no record of an assignment having been recorded with respect to Applicant's involved application Serial Nos. 85405347 and 85408561. Applicant should ensure that the proper party-defendants are before the Board by recording any relevant assignments, and filing a motion to join or substitute the owners of the applications as parties to this proceeding.” See TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 512.01 (2019).

“Applicant” as used in the quoted paragraph, refers to PLM Operations, LLC. PLM Operations, LLC does not own Application Serial Nos. 85405347 and 85408561. There is nothing for PLM Operations to do with regard to these two Application Serial Numbers.

Respectfully submitted,

SHEPPARD MULLIN RICHTER & HAMPTON LLP

Dated: December 2, 2019

/Laura L. Chapman/

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through the ESTTA Filing System to the United States Patent and Trademark Office on this 2nd day of December, 2019.

/Laura L. Chapman/

Laura L. Chapman

CERTIFICATE OF SERVICE

This is to certify that I have this 2nd day of December, 2019, caused to be served a copy of the foregoing correspondence by placing a copy in the United States First Class Mail, postage pre-paid, and by E-MAIL addressed to:

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/Laura L. Chapman/

Laura L. Chapman