

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Baxley

March 25, 2020

Opposition No. 91251213

Legacy Health

v.

Western States Business Management, LLC

Andrew P. Baxley, Interlocutory Attorney:

Proceedings herein are suspended as of the March 5, 2020 filing of Applicant's motion to dismiss the opposition for failure to state a claim under Fed. R. Civ. P. 12(b)(6).¹ Any paper filed during the pendency of this motion which is not germane thereto will be given no consideration. *See* Trademark Rule 2.127(d). Further briefing of that motion is due in accordance with Trademark Rule 2.127(a).

The parties should note that the institution of Applicant's counterclaim, deadlines for the mandatory discovery conference and initial disclosures, and the commencement of discovery is also suspended by this order. TBMP § 401.01.

The motion to dismiss will be decided in due course.

¹ Opposer's consented motion (filed March 24, 2020) to extend dates is moot.