

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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March 18, 2020

Opposition No. **91253336**

Scentsible, LLC d/b/a Poo-Pourri

v.

Nature's Mark, LLC¹

Yong Oh (Richard) Kim, Interlocutory Attorney:

By the Board's institution order, Applicant was allowed until February 17, 2020, to file its answer.² On February 8, 2020, Applicant filed its answer³ and concurrently filed a motion to dismiss⁴ the notice of opposition.

When a party timely files a potentially dispositive motion, the proceeding is suspended with respect to all matters not germane to the motion, and no party should file any paper which is not germane to the motion except as otherwise may be specified in a Board order. *See* Trademark Rule 2.127(d), 37 C.F.R. § 2.127(d).

¹ The notice of appearance (incorrectly styled as "Motion of Respondent to Dismiss") filed February 8, 2020, on behalf of Respondent has been noted and entered into the proceeding record.

² 2 TTABVUE 3.

³ 6 TTABVUE.

⁴ 5 TTABVUE.

Accordingly, as of the filing date of the motion to dismiss, proceedings are **SUSPENDED** pending disposition of the motion. 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).

The motion to dismiss will be decided in due course.⁵

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⁵ The schedule for the discovery conference, initial disclosures and discovery will be reset in the event proceedings herein are resumed. TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 401.01 (2019).