UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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June 17, 2021

Opposition No. 91254566

Sontiq, Inc.

v.

Skout Secure Intelligence LLC

Cancellation No. 92073775

Skout Secure Intelligence LLC

v.

Sontiq, Inc.

Katie Bukrinsky, Interlocutory Attorney:

Motion to Substitute

On June 8, 2021, Opposer/Respondent Cyberscout, LLC ("Cyberscout") filed a motion to substitute Sontiq, Inc. ("Sontiq") for Cyberscout. 29 TTABVUE.

On March 1, 2021, Cyberscout assigned its entire ownership interest and associated goodwill in Registration No. 5215366 to Sontiq, said assignment being recorded with the USPTO at Reel/Frame 7206/0702.

When there has been an assignment of a mark which is the subject of, or relied upon in, an inter partes proceeding before the Board the assignee may be joined or

substituted, as may be appropriate, upon motion granted by the Board, or upon the Board's own initiative. *See* TBMP § 512.01 (2021). When the assignment is recorded in the Assignment Recordation Branch of the USPTO, the assignee may be substituted as a party if the assignment occurred prior to the commencement of the proceeding, the assignor is no longer in existence, the plaintiff raises no objections to substitution, or the discovery and testimony periods have closed; otherwise, the assignee will be joined, rather than substituted, to facilitate discovery. *See id.*

Here, Opposer/Respondent represents that Cyberscout no longer exists. 29 TTABVUE 2. In view thereof, the Board finds substitution appropriate. Opposer/Respondent's motion is **granted** and Sontiq is hereby substituted as Opposer/Respondent in these consolidated proceedings. The captions have been updated accordingly.

Proceedings Suspended

These consolidated proceedings are suspended pending disposition of Applicant/Petitioner Skout Secure Intelligence LLC's motion, filed June 14, 2021, to strike Sontiq's affirmative defenses in Cancellation No. 92073775. Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. *See* Trademark Rule 2.117(c).

Upon resumption, the Board will reset the expert disclosure deadline and remaining deadlines.

The motion to strike will be decided in due course.