

UNITED STATES PATENT AND TRADEMARK OFFICE  
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KY/ey

April 29, 2021

Opposition No. 91268264

*Bright Foods, LLC*

*v.*

*Brite Bites LLC*

**J. Krisp, Interlocutory Attorney:**

The Board notes Applicant's motion to dismiss (filed April 28, 2021).

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 submission which is not germane to the motion except as otherwise may be specified in a Board order. *See* Trademark Rule 2.127(d). Accordingly, as of the filing date of the motion to dismiss, proceedings are suspended pending disposition of the motion. Any submission filed during the pendency of this motion which is not germane thereto will be given no consideration. *See* Trademark Rule 2.127(d).

The schedule for the discovery conference, initial disclosures and discovery is also suspended by this order and will be reset in the event that the Board resumes proceedings. TBMP § 401.01.

The motion to dismiss will be decided in due course.