

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Alexandria, VA 22313-1451
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mbm/lw

November 1, 2023

Opposition No. 91281414

Niccolò Mascaro

v.

Treedefi Ltd

Mary Beth Myles, Interlocutory Attorney:

On October 2, 2023, Applicant filed a motion to extend time to file an answer or otherwise respond to Opposer's August 18, 2023 second amended pleading up to and including October 16, 2023. Opposer did not file a response to the motion to extend. Accordingly, Applicant's October 2, 2023 motion to extend is retroactively **granted** as conceded. *See* Trademark Rule 2.127(a).

On October 16, 2023, Applicant filed a motion to further extend its time to file an answer or otherwise respond to Opposer's August 18, 2023 second amended pleading up to and including October 30, 2023. On October 31, 2023, Applicant filed a motion to dismiss the amended notice of opposition for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6).

Proceedings are suspended as of the October 31, 2023 filing of Applicant's motion to dismiss for failure to state claim under Fed. R. Civ. P. 12(b)(6). Any submission

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filed during the pendency of this motion which is not germane thereto will be given no consideration. *See* Trademark Rule 2.127(d).

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 motions will be decided in due course.