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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91300936
Party	Plaintiff Mini Melts, Inc.
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Submission	Opposition/Response to Motion
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Date	01/03/2026
Attachments	Response to Motion.pdf(145959 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MINI MELTS, INC., Opposer, v. MINI MELTS USA, LLC, Applicant.	Opposition No. 91300936 Mark: MINI BEADS OF ICE CREAM. BIG BITES OF YUM. Application Serial No. 98756369 Filed on June 25, 2024 Published on July 15, 2025

OPPOSER'S RESPONSE TO APPLICANT'S MOTION TO UPDATE OWNERSHIP OF APPLICANT'S ENTITY STATE AND SUSPEND PROCEEDINGS AND RESET ALL TIMES

Opposer Mini Melts, Inc. ("Opposer") respectfully responds in opposition to Applicant's Motion to Update Ownership of Applicant's Entity State and Suspend Proceedings and Reset All Times (the "Motion"). Applicant asks the Board to (i) approve an amendment changing Applicant's "State or Country Where Organized" from Pennsylvania to Delaware, (ii) suspend this opposition on the theory the Motion is "potentially dispositive," and (iii) "restore and reset all filing and other relevant dates" to avoid purported prejudice. This response is filed in direct response to the Motion and is therefore relevant thereto within the meaning of Trademark Rule 2.117(c).

I. The Requested Amendment Is Narrow in Scope and, If Granted, Should Be Treated as a Ministerial Correction Only

Applicant seeks to amend the involved application to change the "State or Country Where Organized" of the applicant from Pennsylvania to Delaware, asserting that the application was inadvertently filed identifying the incorrect state of organization. Opposer does not dispute that Applicant has described a sequence of corporate conversion and domestication events and asserts continuity of the applicant entity. At the same time, Opposer notes that amendments to applicant information in an inter partes proceeding are not automatic and must be evaluated carefully to

ensure that the amendment is limited in scope and does not alter the identity of the applicant as it appeared in the application record at filing.

Accordingly, if the Board determines that the requested change is permissible, Opposer respectfully submits that any such amendment should be expressly characterized as a ministerial correction only, reflecting no change in ownership, no substitution of parties, and no alteration of the substantive posture of the application or this opposition.

II. The Motion Is Not Dispositive and Does Not Warrant Suspension Beyond the Pendency of the Motion

Applicant requests suspension of the proceeding on the theory that the Motion is "potentially dispositive." However, regardless of whether the Board grants or denies the requested amendment, this opposition remains pending on Opposer's pleaded grounds. The amendment sought does not resolve standing, priority, likelihood of confusion, or any other merits issue before the Board. At most, it addresses the form in which the applicant is identified in the application record. While the proceeding has been administratively suspended pending disposition of the Motion pursuant to Trademark Rule 2.117(c), Opposer respectfully submits that no further suspension is warranted once the Motion is decided.

III. In Light of the Board's Suspension Order, Limited and Reasonable Adjustment of Deadlines Is Appropriate

Applicant requested that the Board "restore and reset all filing and other relevant dates." At the time the Motion was filed, the Board had already entered a December 8, 2025, order resuming proceedings and setting a comprehensive schedule. However, following the filing of Applicant's Motion, the Board entered an order suspending proceedings pending disposition of the Motion. As a result of that suspension, certain deadlines set forth in the December 8, 2025 scheduling order, most immediately, Applicant's January 5, 2026 answer deadline, are no longer

practicable. Opposer therefore acknowledges that some adjustment of deadlines will be appropriate once the suspension is lifted to permit the parties to proceed fairly and efficiently.

CONCLUSION

For the foregoing reasons, Opposer respectfully requests that:

1. If the Board permits any amendment to Applicant's state of organization, such amendment be expressly limited to a ministerial correction only;
2. Applicant's request for suspension beyond the pendency of the Motion be denied; and
3. Applicant's request to reset all deadlines and times be granted to the extent necessary to permit the parties to proceed fairly and efficiently.

DATED this 3rd day of January 2026.

Respectfully submitted,

/s/ Robert G. Oake, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2026, a true and correct copy of the OPPOSER'S RESPONSE TO APPLICANT'S MOTION TO UPDATE OWNERSHIP OF APPLICANT'S ENTITY STATE AND SUSPEND PROCEEDINGS AND RESET ALL TIMES is being served by electronic mail on Applicant's attorney, as shown in the correspondence record in the Office, as follows:

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Respectfully submitted,

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