UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

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Mailed: April 25, 2017

Cancellation No. 92061508

Estudi Moline Dissey, S.L.

v.

BioUrn Incorporated (by assignment from My Eternal Family Tree, LLC)

M. Catherine Faint,
Interlocutory Attorney:

Proceedings are suspended pending disposition of Petitioner's motion, filed April 14, 2017, to compel discovery, except as discussed below. The parties should not file any paper that is not germane to the motion to compel. *See* Trademark Rule 2.120(f)(2).

The parties may not serve any additional discovery until the period of suspension is lifted or expires by or under order of the Board. The filing of the motion to compel disclosure or discovery shall not toll the time for a party to comply with any initial disclosure requirement, or to respond to any outstanding discovery requests or to appear for any noticed discovery deposition. If the motion to compel was filed after the close of discovery, the parties need not make pretrial disclosures until directed to do so by the Board. *See* Trademark Rule 2.120(f)(2); TBMP § 523.01.

The motion to compel will be decided in due course.

Substitution of Party Defendant

A review of the assignment record of the involved registration reveals that the registration was assigned from My Eternal Family Tree LLC to BioUrn Incorporated by entity conversion executed on October 11, 2016. The assignment was recorded on December 12, 2016 at Reel/Frame 5946/0206.

When there has been an assignment of a mark that 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. TBMP § 512.01 (2016).

Here, because the involved registration was assigned via entity conversion, substitution is appropriate. Accordingly, BioUrn Incorporated is hereby substituted as the party defendant herein and the Board's records have been updated accordingly.

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