

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
General Email: TTABInfo@uspto.gov

mbm/lw

November 26, 2019

Cancellation No. 92072112

Laurel Foundation

v.

The Laurel Fund

Mary Beth Myles, Interlocutory Attorney:

The Board notes Respondent's motion to dismiss (filed November 18, 2019).¹

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

¹ Respondent's motion to dismiss at 10 TTABVUE failed to include the requisite proof of service. Respondent refiled its motion to dismiss on the same day at 11 TTABVUE with proof of service. Accordingly, the Board gives no consideration to the earlier filed entry at 10 TTABVUE.

The parties should note that 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.