

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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RA

May 19, 2021

Cancellation No. 92076846

*Picture Engine Company, Inc*

*v.*

*OpenSky Project, Inc.*

**Andrew P. Baxley, Interlocutory Attorney:**

Proceedings are suspended as of the May 18, 2021 filing of Respondent's motion to dismiss under Rule 12(b).<sup>1</sup> Any submission filed during the pendency of this motion which is not germane thereto will receive no consideration. See Trademark Rule 2.127(d).

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.

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<sup>1</sup> The Board also notes Respondent's appearance and power of attorney filed on May 18, 2021.