

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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WF/LH

August 12, 2021

Cancellation No. 92076894

*Bison Products, LLC*

*v.*

*Red Bull GmbH*

**Winston Folmar, Interlocutory Attorney:**

The Board notes Respondent's motion to dismiss (filed May 25, 2021).<sup>1</sup> 4 TTABVUE.

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.<sup>2</sup> 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).

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<sup>1</sup> Respondant's change of correspondence address filed June 1, 2021 is noted. 6 TTABVUE. The Board records have been updated to reflect this change.

<sup>2</sup> Respondant's submission does not indicate proof of service of a copy of same on counsel for Petitioner, as required by Trademark Rule 2.119. *See* TBMP § 110.03. A copy of the filing can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

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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. TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (“TBMP”) § 401.01 (June 2021).

The motion to dismiss will be decided in due course.