

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

September 29, 2023

Cancellation No. 92083014

*Mprezas, Inc.*

*v.*

*Armstrong Laboratorios de México S.A.  
deC.V.; Armstrong Laboratorios de Mexico  
s.a. deC.V.*

**Mary Beth Myles, Interlocutory Attorney:**

On September 22, 2023, Respondent filed a timely motion to dismiss the petition to cancel for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6). Due to a technical issue, however, the submission was not available for viewing on TTABVUE. The Board regrets any confusion this may have caused. Respondent's motion to dismiss was recovered on September 26, 2023.

On September 25, 2023—after Respondent's motion to dismiss was filed, but before the technical issue was identified by the Board—Petitioner filed a motion to suspend proceedings pending a prior Board proceeding.

Under the circumstances, proceedings are suspended pending determination of both motions. Any paper filed during the pendency of the motions which is not

relevant thereto will be given no consideration. *See* Trademark Rule 2.127(d). TBMP § 510.03.

This suspension order tolls the time for the parties to make required disclosures. TBMP § 528.03.

In view of the technical issues associated with Respondent's motion to dismiss, Petitioner is allowed until **twenty days** from the date of this order to file a response to the motion to dismiss. A reply brief, if filed, is due in accordance with Trademark Rule 2.127(a).

Respondent's response to Petitioner's motion is due within **twenty days** of the filing date of the motion. A reply brief, if filed, is due in accordance with Trademark Rule 2.127(a).

Finally, Respondent is represented by an attorney. Effective August 3, 2019, the USPTO amended its rules to require all practitioners qualified under § 11.14(a) to be an active member in good standing and to provide the name of a state in which he or she is an active member in good standing; the date of admission to the bar of the named state; and the bar license number, if one is issued by the named state. 37 C.F.R. § 2.17(b)(3).

Accordingly, Respondent is allowed until **twenty days** days from the date of this order to provide the information above using the Change of Address form in ESTTA. The bar information entered on the ESTTA Change of Address form will be masked from TTABVUE.

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The motion to suspend and dismiss will be decided in due course.