

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TRADEMARK MEDICAL, L.L.C.,)
)
 Plaintiff,)
)
 v.)
)
 BIRCHWOOD LABORATORIES, INC.,)
)
 Defendant.)

No. 4:12-CV-1890-JAR


MEMORANDUM AND ORDER

This matter is before the Court on Defendant’s Motion to Dismiss [ECF No. 6]. In light of Plaintiff’s First Amended Complaint [ECF No. 14] filed with leave of Court on November 26, 2012, the motion will be denied as moot.

Accordingly,

IT IS HEREBY ORDERED that Defendant’s Motion to Dismiss [6] is **DENIED** as moot.

Dated this 28th day of November, 2012.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE