

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Spirits of New Merced, LLC : BEFORE THE
Trademark: YOSEMITE BREWING : TRADEMARK TRIAL
COMPANY
Serial No: 78756457 : AND
Attorney: Kenneth A. Vogel : APPEAL BOARD
Address: Kenneth A. Vogel : ON APPEAL
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MOTION TO CONSOLIDATE

Applicant has proposed the mark YOSEMITE BREWING COMPANY. Registration of the proposed mark was refused under Section 2(e)(2) of the Trademark Act because the mark is primarily geographically descriptive of the origin of applicant's services. Appeal has been instituted.

The examining attorney notes that the issue in question is identical to that found in applicant's companion case 78978475 (YOSEMITE BREWING COMPANY, appeal instituted). As applicant has filed ex parte appeals in the two copending applications and the cases involve common issues of law and fact, the examining attorney hereby moves that the referenced appeals be consolidated for efficiency and ease of prosecution. TMBP Section 1214.

Respectfully submitted,

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