IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	SMOKEY MO'S BAR-B-Q, LLC	:	BEFORE THE
Trademark:	THOSE WHO KNOW EAT AT SMOKEY MO'S SMOKEY MO'S BBQ SMOKEY MO'S BAR-B-Q	:	TRADEMARK TRIAL
		:	AND
		:	APPEAL BOARD
Serial Nos:	85939425, 85939513, 85939692		
		:	ON APPEAL
Attorney:	GAIL TAYLOR RUSSELL		
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MOTION TO CONSOLIDATE

The applicant has proposed registration of three standard character marks for restaurant and catering services in which the dominant element is SMOKEY MO'S. The marks have been refused because of a likelihood of confusion with the registered mark, SMOKIN'MO'S BBQ PIG OUT! 'MO BARBEQUE! PLEASE, U.S. Registration No. 2773992, used with restaurants [and] catering. Trademark Act § 2(d), 15 U.S.C. §1052(d).

The issue of confusion is the same in the three companion cases, based on the high degree of similarity between the dominant elements in the marks, SMOKEY MO'S (in the applicant's marks) and SMOKIN' MO'S (in the registrant's mark).

As the applicant has filed ex parte appeals in the three copending applications, and the cases involve common issues of law and fact, the examining attorney hearby moves that the referenced appeals be consolidated for efficiency and ease of prosecution. TMBP Section 1214.

Respectfully submitted,

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