

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

U.S. APPLICATION SERIAL NO. 86406352

MARK: CAT & CO.



CORRESPONDENT ADDRESS:

JOSHUA A ALDORT
MCANDREWS HELD AND MALLOY LTD
500 W MADISON ST FL 34
CHICAGO, IL 60661-4584

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/trademarks/index.jsp>

TTAB INFORMATION:

<http://www.uspto.gov/trademarks/process/appeal/index.jsp>

APPLICANT: Sears Brands, LLC

CORRESPONDENT'S REFERENCE/DOCKET NO:

38688US01

CORRESPONDENT E-MAIL ADDRESS:

trademarks@mcandrews-ip.com

MOTION TO CONSOLIDATE

Applicant has proposed variations on the mark "CAT & CO" which were either refused as being merely descriptive, or had a final disclaimer statement requirement as follows:

Application Serial Number 86/406352 "CAT & CO" for Class 31 Cat litter, refused pursuant to Trademark Act Section 2(e)(1) as being merely descriptive.

Application Serial Number 86/406354 "CAT & CO" for Class 20 cat beds, Class 28 Cat toys and Class 31 Cat food, refused pursuant to Trademark Act Section 2(e)(1) as being merely descriptive.

Application Serial Number 86/406361 "CAT & CO" and design for Class 31 Cat litter, Final Disclaimer Statement Requirement

Application Serial Number 86/406370 "CAT & CO" and design for Class 20 cat beds, Class 28 Cat toys and Class 31 Cat food, Final Disclaimer Statement Requirement

The Examining Attorney notes the issues in application serial numbers 86/406352 and 86/406354 are identical; and, the issues in application serial numbers 86/406361 and 86/406370 are identical.

Applicant has filed ex parte appeals in all of the above referenced applications, which all involve common issues of law and fact, the examining attorney hereby moves that the referenced appeals be consolidated, either cases 86/406352 and 86/406354 together and 86/406361 and 86/406370 together, or all four cases together, whichever is most appropriate in this instance for efficiency and ease of prosecution. TMBP §1214.

Respectfully submitted,

/Thomas M. Manor/
Trademark Examining Attorney
Law Office 110
Phone: (571) 270-1519
Fax. No. (571) 273-1519
Thomas.Manor@USPTO.GOV

Chris A. F. Pedersen
Managing Attorney
Law Office 110