

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: July 8, 2003

Opposition No. 91125743
Opposition No. 91152104
Cancellation No. 92041147

THE SERVICEMASTER COMPANY

v.

UGI HAVC ENTERPRISES, INC.

Nancy L. Omelko, Interlocutory Attorney:

On May 22, 2003, the parties filed a stipulation to consolidate the two opposition proceedings and one cancellation proceeding referenced above; and on May 26, 2003, opposer filed a consented motion to reset the discovery and testimony periods.

It is the view of the Board that consolidation is appropriate inasmuch as the parties are the same and the two proceedings involve common questions of fact. The parties stipulation to consolidate is hereby approved. Accordingly, Opposition Nos. 125,743 and 152,104, and Cancellation No. 41,147 are hereby consolidated.

The consolidated cases may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v.*

Suave Shoe Corp., 13USPQ2d 1618 (TTAB 1989). As a general rule, from this point on only a single copy of any paper or motion should be filed herein; but that copy should bear all proceeding numbers in its caption. Exceptions to the general rule involve stipulated extensions of the discovery and trial dates, see Trademark Rule 2.121(d), and briefs on the case, see Trademark Rule 2.128.

Opposer's consented motion to extend discovery and testimony periods is hereby approved. Trial dates, including the close of discovery, are those dates set out in opposer's consented motion for extension filed on May 26, 2003.

The stipulated protective agreement filed on May 22, 2003 is noted. The parties are referred, as appropriate, to TBMP §§ 416.05 (Signature of Protective Order), 416.06 (Filing Confidential Materials With Board), 416.07 (Handling of Confidential Materials by Board).

The parties are advised that only confidential or trade secret information should be filed pursuant to a stipulated protective agreement. Such an agreement may not be used as a means of circumventing paragraphs (d) and (e) of 37 CFR § 2.27, which provide, in essence, that the file of a published application or issued registration, and all

proceedings relating thereto, should otherwise be available
for public inspection.