

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

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Mailed: May 15, 2002

CONSOLIDATED:
Opposition No. 124,019
Opposition No. 150,707

ALSTON ESCA CORPORATION

v.

E-TERRA, LLC

Thomas W. Wellington
Interlocutory Attorney,
Trademark Trial and Appeal Board:

On April 26, 2002, the parties filed a stipulated motion to consolidate proceedings in Opposition No. 124,019 and Opposition No. 150,707. The parties also request that the proceedings be suspended to allow for settlement negotiations.

The Board has reviewed the opposition proceedings. Because the parties are the same and the proceedings involve common questions of law or fact, in the interest of judicial economy, opposer's motion is approved to the extent that Opposition No. 124,019 and Opposition No. 150,707 are hereby consolidated,¹ and may be presented on the same record and briefs. See Fed. R. Civ. P. 42(a).

¹ The Board file will be maintained in opposition no. 124,019 as the "parent" case, but all papers filed herein must include the proceeding numbers of the consolidated cases, in ascending order (as shown above).

Because the parties are negotiating for possible settlement of this case, the stipulated motion to suspend is granted to the extent that proceedings herein are suspended until six months from the mailing date stamped on this order, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations within the next six months, the Board will issue an order resuming proceedings and resetting trial dates, including the time for discovery.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.