

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: April 3, 2007

Opposition No. 91157113

Opposition No. 91157442

Opposition No. 91161235

Big O Tires, Inc.

v.

Sunrise Incorporated

Cindy B. Greenbaum, Attorney:

Opposer's consented motion to consolidate these proceedings is granted. Accordingly, Opposition Nos. 91157113, 91157442 and 91161235 are hereby consolidated and may be presented on the same record and briefs. From this date forward, **Opposition No. 91157113** will be designated the "parent" case in which all papers shall be filed. However, every paper must henceforth reference both proceeding numbers as shown in the caption of this order. The parties are instructed to promptly inform the Board of any other related cases within the meaning of Fed. R. Civ. P. 42.

In the Board's January 23, 2006 order issued in Opposition No. 91157113, and in the Board's October 10, 2006 order issued in Opposition No. 91157442, the Board warned the parties that the Board may not grant further extension or suspension requests, even if consented to, absent a

detailed settlement report, including a firm timetable for resolution. Opposer's consented motion to consolidate includes yet another request to extend discovery and trial dates. Given the reported state of the parties' settlement negotiations, the request is granted. However, the parties are warned that the Board will not issue any further extensions of discovery.

Trial dates, including the close of discovery, are reset as follows:

DISCOVERY PERIOD TO CLOSE: **May 23, 2007**

Thirty-day testimony period for party in position of plaintiff to close: **August 21, 2007**

Thirty-day testimony period for party in position of defendant to close: **October 20, 2007**

Fifteen-day rebuttal testimony period to close: **December 4, 2007**

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.