

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Trademark Trial and Appeal Board**  
**2900 Crystal Drive**  
**Arlington, Virginia 22202-3513**

Mailed: April 28, 2004

Opposition Nos. 91157538  
91157768  
91158277  
91158509  
91158520  
91158786  
91159159

The Pep Boys Manny, Moe &  
Jack of California

v.

Kent G. Anderson

Karen Kuhlke, Attorney:

It has come to the attention of the Board that Opposition Nos. 91157538, 91157768, 91158277, 91158509, 91158520, 91158786 and 91159159 involve the same parties and common questions of law and fact. It would therefore be appropriate to consolidate these proceedings pursuant to Fed. R. Civ. P. 42(a).

Consolidation is discretionary with the Board, and may be ordered upon motion granted by the Board, or upon stipulation of the parties approved by the Board, or upon the Board's own initiative. See, for example, Wright & Miller, Federal Practice and Procedure: Civil §2383 (2004);

**Opposition No. 91157538 etc.**

*Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154  
(TTAB 1991) (Board's initiative).

Accordingly, the above-noted opposition proceedings are hereby consolidated and may be presented on the same record and briefs.<sup>1</sup>

The Board file will be maintained in Opposition No. 91157538 as the "parent" case, but all papers filed herein must include the proceeding numbers of the consolidated cases, in ascending order.

Opposer's motion, filed on October 8, 2003 in connection with Opposition No. 91157538, to strike applicant's answer is granted to the extent that applicant's answer filed on September 30, 2003 is hereby stricken and applicant's answer filed on March 12, 2004 is noted and accepted.

On March 4, 2004, the Board issued a notice of default in connection with Opposition No. 91158509. In view of applicant's submission of the answer originally filed on December 29, 2003, the notice of default issued on March 4, 2004 is vacated and applicant's answer is noted and accepted.

Applicant's motion filed on March 12, 2004 in connection with Opposition No. 91158786 to accept a late-

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<sup>1</sup> In view of the above, applicant's motion (filed March 12, 2004) to consolidate is moot.

**Opposition No. 91157538 etc.**

filed answer is granted and the answer is noted and accepted.

It is noted that proceedings in Opposition Nos. 91157768, 91158277 and 91158520 have been suspended for settlement negotiations and there are motions to suspend for settlement negotiations pending in Opposition Nos. 91157538, 91158509, 91158786 and 91159159. In view thereof, the pending motions to suspend are granted and proceedings in these consolidated oppositions are suspended for **SIX MONTHS** from the mailing date of this order.

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