

**UNITED STATES PATENT AND TRADEMARK  
OFFICE**

Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**Mail date: May 2, 2005**

**Opposition No. 91162370**

**Opposition No. 91162469**

**Opposition No. 91164615**

**De Boulle Diamond & Jewelry,  
Inc.**

**v.**

**DeBeers LV Ltd.**

**Cheryl Butler, Attorney, Trademark Trial and Appeal Board:**

The Board has reviewed each of the above identified opposition proceedings. Answers have been filed in Opposition Nos. 91162370 and 91162469. An answer is due in Opposition No. 91164615 by May 1, 2005. Each opposition involves the same parties and at least some of the same questions of law and fact.

When cases involving common questions of law or fact are pending before the Board, consolidation of such cases may be appropriate. Such consolidation may be ordered on the Board's own initiative. See Fed. R. Civ. P. 42(a); *Regatta Sports Ltd. v. Telux-Pioneer, Inc.*, 20 USPQ2d 1154 (TTAB 1991); *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991); and TBMP §511 (2<sup>nd</sup> ed. rev. 2004). In addition, the Board, in its discretion, may order cases consolidated prior to joinder of issue (i.e., before an answer has been filed in each case). The Board finds it appropriate to consolidate the above-identified proceedings.

**Opposition Nos. 91162370; 91162469; and 91164615**

Accordingly, Opposition Nos. 91162370; 91162469; and 91164615 are hereby consolidated and may be presented on the same records and briefs. The record will be maintained in Opposition No. **91162370** as the "parent" case, but all papers filed in these cases should include all proceeding numbers in ascending order.

In accordance with Board practice, discovery and trial dates are reset to coincide with the most recently instituted proceeding.<sup>1</sup> Such dates are copied below:

Discovery period to close:	October 08, 2005
30-day testimony period for party in position of plaintiff to close:	January 06, 2006
30-day testimony period for party in position of defendant to close:	March 07, 2006
15-day rebuttal testimony period for plaintiff to close:	April 21, 2006

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. Rule 2.125.

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

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<sup>1</sup> Opposer's consented motion, filed March 29, 2005, in Opposition No. 91162370, to extend discovery and trial dates is granted. The schedule set forth in this consolidation order, however, is the operative schedule.