

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

Baxley

Mailed: September 7, 2005

Opposition No. **91164847**
Cancellation No. **92044429**

Johnson & Johnson

v.

Conair Corporation

Andrew P. Baxley, Interlocutory Attorney:

The parties' stipulation (filed August 10, 2005) to consolidate the above-referenced proceedings is hereby approved.

The consolidated cases may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989) and *Hilson Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1423 (TTAB 1993).

The Board filed will be maintained in Opposition No. 91164847 as the "parent" case. As a general rule, from this point on, only a single copy of any submission should be filed herein. That copy, however, should include all five proceeding numbers in the caption thereof.

Despite being consolidated, each proceeding retains its separate character. The decision on the consolidated cases

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shall take into account any differences in the issues raised by the respective pleading; a copy of the decision shall be placed in each proceeding file.

Discovery and trial dates in these newly consolidated proceedings remain as set in the notice instituting Cancellation No. 92044429. See TBMP Section 511 (2d ed. rev. 2004). Those dates are as follows:

DISCOVERY PERIOD TO CLOSE:	11/01/05
Plaintiff's 30-day testimony period to close:	01/30/06
Defendant's 30-day testimony period to close:	03/31/06
15-day rebuttal testimony period to close:	05/15/06

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 Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.