

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

Mailed: January 19, 2007

Opposition No. 91168756
Opposition No. 91171997
Opposition No. 91171998
Opposition No. 91171999
Opposition No. 91172000
Opposition No. 91172002
Opposition No. 91172004
Opposition No. 91172006
Opposition No. 91172557

Federation Des Industries de
la Parfumerie

v.

Ebel International Limited

George C. Pologeorgis, Interlocutory Attorney:

It has come to the attention of the Board that Opposition Nos. 91168756, 91171997, 91171998, 91171999, 91172000, 91172002, 91172004, 91172006, and 91172557 involve the same parties and common questions of law and fact.¹ 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

¹The Board notes opposer's motion to consolidate the above-referenced opposition proceedings filed on September 7, 2006 in opposition proceeding no. 91168756.

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); *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.

The Board file will be maintained in Opposition No. 91168756 as the "parent" case. The parties should no longer file separate papers in connection with each proceeding. Only a single copy of each paper should be filed by the parties and each paper should bear the case captions as set forth above.²

In accordance with Board practice, discovery and trial dates are reset to conform to the dates latest set in the proceedings that are being consolidated. In this instance, Opposition No. 91172557 was the latest filed proceeding. Accordingly, the discovery and trial dates for these now consolidated proceedings are reset to conform to the dates set forth in the Board's institution order for Opposition No. 91172557 as indicated below:

²The parties should promptly inform the Board in writing of any other related *inter partes* proceedings. See Fed. R. Civ. P. 42(a).

DISCOVERY TO CLOSE: **March 13, 2007**

Thirty-day testimony period for party in
position of plaintiff to close: **June 11, 2007**

Thirty-day testimony period for party in
position of defendant to close: **August 10, 2007**

Fifteen-day rebuttal testimony period for
plaintiff to close: **September 24, 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 Rule 2.128(a) and (b).

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.