

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

Mailed: September 15, 2006

Opposition No. 91168862

Opposition No. 91168968

Red Head, Inc. d/b/a Cabo Wabo
Enterprise

v.

Bunte, Brady

Cheryl Goodman, Interlocutory Attorney:

This case now comes up on the parties' stipulation to consolidate, filed August 11, 2006.

The Board has reviewed each of the proceedings and finds it appropriate to consolidate inasmuch as the proceedings involve the same parties, similar marks, and similar questions of law and fact.

Accordingly, the parties' stipulation is granted. Opposition Nos. 91168862 and 91168968 are hereby consolidated. Although each proceeding retains its separate character, the cases may be presented on the same record and briefs. The record will be maintained at the Board in Opposition No. 91168862 as the "parent" case, but all papers

filed in these cases should include all proceeding numbers in ascending order.¹

Discovery and trial dates in the consolidated proceeding shall follow the current trial schedule in Opposition No. 91168968 which has the later discovery and trial dates.

DISCOVERY PERIOD TO CLOSE:	October 19, 2006
30-day testimony period for party in position of plaintiff to close:	January 17, 2007
30-day testimony period for party in position of defendant to close:	March 18, 2007
15-day rebuttal testimony period for party in position of plaintiff to close:	May 2, 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.

¹ Generally, the lower serial number determines the parent case.