ESTTA Tracking number: **ESTTA106508**
Filing date: **10/27/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91173094
Party	Defendant Deutsche Telekom AG Deutsche Telekom AG Friedrich-Ebert-Allee 140 , DE 53113
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Submission	Other Motions/Papers
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Date	10/27/2006
Attachments	Agreed Motion for Consolidation.pdf (3 pages)(62522 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Pending Serial Nos.: 76/130251; 78/695703; 78/695389; 78/219565; 78/214543; 76/459065; 76/459066; 76/460027; 78/219684; 78/184591; 78/214540

Trend Micro Incorporated,	:	Opposition Nos. 91168774
	:	91171393
	:	91171613
Opposer,	:	91172341
	:	91172395
vs.	:	91172977
	:	91172979
	:	91173042
Deutsche Telekom AG,	:	91173094
	:	91173095
Applicant.	:	91173099

AGREED MOTION FOR CONSOLIDATION

Applicant, Deutsche Telekom AG, hereby moves to (1) consolidate the above-referenced opposition proceedings into a single opposition proceeding and (2) extend the discovery period of the consolidated proceeding and reset the trial dates for the consolidated proceeding.

Opposer has filed eleven (11) separate but substantially identical opposition actions alleging the same claims concerning the same T Design. Applicant respectfully contends that consolidation of these three opposition proceedings is proper based on the following:

1. The subject pending opposition proceedings involve common questions of law and fact.

2. The parties are the same: the Applicant in all eleven applications is Deutsche Telekom AG and the Opposer to all eleven applications is Trend Micro Kabushiki Kaisha.

3. The issues being plead by Opposer in all three oppositions is the same, namely, likelihood of confusion based on the T logo (see Tabs A, B and C for the Notices of Opposition).

4. The opposition proceedings are all in the initial stages in that the testimony period has not begun in any of the opposition proceedings.

5. Opposer has consented to the consolidation of these eleven opposition proceedings.

6. It does not appear that any prejudice or inconvenience would result from such consolidation. Rather, there will be a savings in time, effort and expense.

Accordingly, Applicant respectfully submits that consolidation is proper, and requests that the Board consolidate Opposition Nos. 91168774, 91171393, 91171613, 91172341, 91172395, 91172977, 91172979, 91173042, 91173094, 91173095 and 91173099 and extend the discovery period and reset the trial dates at its earliest convenience.

Respectfully submitted,

By: _____

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Attorney for Applicant

Dated: October 27, 2006

CERTIFICATE OF SERVICE

I certify that on this date, a copy of the foregoing AGREED MOTION FOR CONSOLIDATION was served by overnight delivery on counsel for Opposer at the following address:

Jefferson F. Scher
Carr & Ferrell LLP
2200 Geng Road
Palo Alto, CA 94303

Dated: October 27, 2006

Joan L. Long