

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

Mailed: February 17, 2007

Opposition No. 91166201

Opposition No. 91175192

Ashley Paige Depew

v.

Fortune Casuals, LLC

Cindy B. Greenbaum, Attorney:

It has come to the attention of the Board that Opposition Nos. 91166201 and 91175192 involve the same parties and common questions of law and fact. 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 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.

Opposition Nos. 91166201 and 91175192 .

The Board file will be maintained in Opposition No. 91166201 as the "parent" case. The parties should no longer file separate papers (except for the answers) 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.

Further, because the parties remain involved in a civil action in the United States District Court for the Central District of California whose outcome may have a bearing on these consolidated cases, proceedings remain suspended pursuant to the terms of the Board's August 8, 2006 order issued in Opposition No. 91166201.