

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

Mailed: September 27, 2007

Congregation Talmud Torah
D'Chasidei Bobov of Monsey

v.

United Bobov International, Inc.

Opposition Nos. 91176108 (parent)
91176114
91176122
91176127
91176247
91176303
91178878
91178885
91178886
91178921
91178923
91178925
91179003
91179635
91179643

--and--

Baruch C. Greenfeld

v.

United Bobov International, Inc.

Opposition Nos. 91176109
91176113
91176123
91176124
91176248
91176304
91178877
91178884
91178887
91178919
91178920
91178924
91179004
91179631
91179642

**Robert H. Coggins,
Interlocutory Attorney:**

Applicant's consented motion (filed September 19, 2007)
to consolidate Opposition Nos. 91178877, 91178878, 91178884,
91178885, 91178886, 91178887, 91178919, 91178920, 91178921,

Opposition Nos. 91176108, 91176109, 91176113, 91176114, 91176122, 91176123, 91176124, 91176127, 91176247, 91176248, 91176303, 91176304, 91178877, 91178878, 91178884, 91178885, 91178886, 91178887, 91178919, 91178920, 91178921, 91178923, 91178924, 91178925, 91179003, 91179004, 91179631, 91179635, 91179642, and 91179643

91178923, 91178924, 91178925, 91179003, and 91179004 into previously consolidated "parent" Opposition No. 91176108, and to suspend proceedings pending the disposition of civil action Index No. 12509/05 in the Supreme Court of the State of New York for the County of Kings, is granted.¹ Trademark Rule 2.127(a).

Moreover, the Board notes that consolidation of Opposition Nos. 91179631, 91179635, 91179642, and 91179643 is also appropriate under Fed. R. Civ. P. 42(a) which is made applicable by Trademark Rule 2.116(a). Opposer Congregation Talmud Torah D'Chasidei Bobov of Monsey and applicant United Bobov International, Inc. are parties to thirteen other opposition proceedings involving similar marks and common questions of law and fact; Baruch C. Greenfeld and United Bobov International, Inc. are parties to thirteen other opposition proceedings involving similar marks and common questions of law and fact; the opposition proceedings between Congregation Talmud Torah D'Chasidei Bobov of Monsey and United Bobov International, Inc. involve

¹ Inasmuch as opposers' June 18, 2007 correspondence (filed in Opposition No. 91176108) seeking suspension of several applications does not include proof of service on applicant as required by Trademark Rule 2.119, it will be given no consideration. TBMP Section 113.02 (2d ed. rev. 2004). Notwithstanding such consideration, it is noted that many of the applications listed in the June 18, 2007 correspondence are the subject of oppositions herein consolidated and suspended. Strict compliance with Trademark Rule 2.119 is required by opposers in all future papers filed with the Board.

Opposition Nos. 91176108, 91176109, 91176113, 91176114, 91176122, 91176123, 91176124, 91176127, 91176247, 91176248, 91176303, 91176304, 91178877, 91178878, 91178884, 91178885, 91178886, 91178887, 91178919, 91178920, 91178921, 91178923, 91178924, 91178925, 91179003, 91179004, 91179631, 91179635, 91179642, and 91179643

the same applications as the opposition proceedings between Baruch C. Greenfeld and United Bobov International, Inc.; both Congregation Talmud Torah D'Chasidei Bobov of Monsey and Baruch C. Greenfeld are represented by the same counsel; and consolidation will avoid duplication of effort concerning the factual issues and will thereby avoid unnecessary costs and delays. Accordingly, these additional oppositions are, *sua sponte*, also consolidated into previously consolidated "parent" Opposition No. 91176108 and suspended pending the disposition of civil action Index No. 12509/05 in the Supreme Court of the State of New York for the County of Kings.

Consolidation

By this order, Opposition Nos. 91176108, 91176109, 91176113, 91176114, 91176122, 91176123, 91176124, 91176127, 91176247, 91176248, 91176303, 91176304, 91178877, 91178878, 91178884, 91178885, 91178886, 91178887, 91178919, 91178920, 91178921, 91178923, 91178924, 91178925, 91179003, 91179004, 91179631, 91179635, 91179642, and 91179643 are consolidated and may be presented on the same record. *See Hilson Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1432 (TTAB 1993) (consolidated on stipulation); and *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991) (consolidated on Board's initiative).

Opposition Nos. 91176108, 91176109, 91176113, 91176114, 91176122, 91176123, 91176124, 91176127, 91176247, 91176248, 91176303, 91176304, 91178877, 91178878, 91178884, 91178885, 91178886, 91178887, 91178919, 91178920, 91178921, 91178923, 91178924, 91178925, 91179003, 91179004, 91179631, 91179635, 91179642, and 91179643

From this date forward, Opposition No. 91176108 is designated as the "parent" case in which all papers shall be filed. The parties should no longer file separate papers (except for the answers) in connection with each proceeding. As a general rule, from this point on, only a single copy of any paper or motion should be filed in the parent case, but that copy should bear each proceeding number in its caption. An exception to the general rule involves filing answers and briefs on the case. See Trademark Rules 2.106 and 2.128.

Despite being consolidated, each proceeding retains its separate character. The decision on the consolidated cases shall take into account any differences in the issues raised by the respective pleadings; a copy of the decision shall be placed in each proceeding file.

The parties are instructed to promptly inform the Board of any other related cases within the meaning of Fed. R. Civ. P. 42.

Suspension

By this order, Opposition Nos. 91178877, 91178878, 91178884, 91178885, 91178886, 91178887, 91178919, 91178920, 91178921, 91178923, 91178924, 91178925, 91179003, 91179004, 91179631, 91179635, 91179642, and 91179643 are suspended (and Opposition Nos. 91176108, 91176109, 91176113, 91176114, 91176122, 91176123, 91176124, 91176127, 91176247, 91176248,

Opposition Nos. 91176108, 91176109, 91176113, 91176114, 91176122, 91176123, 91176124, 91176127, 91176247, 91176248, 91176303, 91176304, 91178877, 91178878, 91178884, 91178885, 91178886, 91178887, 91178919, 91178920, 91178921, 91178923, 91178924, 91178925, 91179003, 91179004, 91179631, 91179635, 91179642, and 91179643

91176303, 91176304 remain as previously suspended) pending final determination of civil action Index No. 12509/05 in the Supreme Court of the State of New York for the County of Kings.

See Trademark Rule 2.117(a); *General Motors Corp. v. Cadillac Club Fashions Inc.*, 22 USPQ2d 1933 (TTAB 1992); *Argo & Co. v. Carpetsheen Manufacturing Inc.*, 187 USPQ 336 (TTAB 1975); and *Martin Beverage Co. Inc. v. Colita Beverage Company*, 169 USPQ 568, 570 (TTAB 1971).

Within twenty days after the final determination of the civil action, the parties shall so notify the Board so that this consolidated case may be called up for appropriate action. If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.

News from the TTAB

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

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<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>

http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>