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

Proceeding	91181380
Party	Defendant MIMULANI AG
Correspondence Address	M ARK LEBOW YOUNG & THOMPSON 745 23RD ST S STE 200 ARLINGTON, VA 22202-2400  embon@young-thompson.com
Submission	Motion to Consolidate
Filer's Name	Mark Lebow
Filer's e-mail	mlebow@young-thompson.com
Signature	/ml/
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

E. & J. GALLO WINERY,

Opposer,

v.

MIMULANI AG,

Applicant.

Opposition No. 91181380

Opposition No. 91181381

Opposition No. 91181383

Opposition No. 91181384

Opposition No. 91181385

Opposition No. 91181386

Opposition No. 91181388

**STIPULATED MOTION TO CONSOLIDATE  
PENDING INTER PARTES PROCEEDINGS**

Pursuant to Fed. R. Civ. P. Rule 42(a) and TBMP § 511, the parties to this proceeding hereby stipulate to consolidation of the seven trademark opposition proceedings 91181380 (oldest proceeding number), 91181381, 91181383, 91181384, 91181385, 91181386 and 91181388 filed against Applicant MIMULANI AG's seven application Serial Nos. 78877425, 78877442, 78877443, 78877447, 78877450, 78877453 and 78877459, respectively, by Opposer E. & J. GALLO WINERY.

As background, it is submitted that Opposer has relied upon a claim of ownership of the same marks in each of these proceedings against registration of each of Applicant's marks, all of which all have the common term GALLISS with or without other words or other matter.

Because these cases involve common questions of law or fact; because judicial economy favors the savings that would result in time, effort, and expense as a result of consolidation; and because neither party would be prejudiced or inconvenienced by consolidation, it is submitted that consolidation is appropriate under the circumstances.

Paul W. Reidl, Opposer's counsel in these proceedings, stipulated to their consolidation in a telephone conversation on January 25, 2008.

WHEREFORE, the parties requests that the proceedings be consolidated.

Respectfully submitted,

/Mark Lebow/

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Mark Lebow  
Attorney for Applicant  
Young & Thompson  
745 South 23<sup>rd</sup> Street  
Arlington, Virginia 22202  
Tel: (703) 521-2297

January 28, 2008

CERTIFICATE OF SERVICE

I hereby certify that the foregoing STIPULATED MOTION TO CONSOLIDATE PENDING INTER PARTES PROCEEDINGS was deposited as first class mail, postage prepaid, in an envelope addressed to Paul W. Reidl, Esq., 600 Yosemite Boulevard, Modesto, CA 95354 this 28th day of January 2008.

/Mark Lebow/

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Mark Lebow