

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

mc/apb

Mailed: September 25, 2009

Opposition No. 91187990

Epiq Systems, Inc.

v.

Epic River LLC

Opposition No. 91189100

Opposition No. 91189798

Epic River LLC

v.

Epiq Systems, Inc.

**Andrew P. Baxley, Interlocutory Attorney:**

Epiq Systems, Inc.'s ("Epiq") consented motion (filed September 23, 2009) to consolidate Opposition No. 91189798 with the already consolidated Opposition Nos. 91187990 and 91189100 and to suspend the above-captioned proceedings is granted. See Fed. R. Civ. P. 42(a); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991); *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991); and TBMP Section 511 (2d ed. rev. 2004).

The consolidated cases may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989) and *Hilson*

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*Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1423 (TTAB 1993).

The Board file will be maintained in Opposition No. 91187990 as the "parent" case. As a general rule, from this point onward, only a single copy of any submission should be filed herein. That copy, however, should include all of the consolidated proceeding numbers in the caption thereof.

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 pleading; a copy of the decision shall be placed in each proceeding file.

Proceedings herein are suspended until February 27, 2010, subject to either party's right to request resumption at any time. See Trademark Rule 2.117(c). If there is no word from either party concerning the progress of their negotiations by February 27, 2010, proceedings herein will resume automatically without further action by the Board on February 28, 2010 under the schedule set forth in Epiq's motion.

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.

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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.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.