

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

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Mailed September 30, 2009

Opposition No. 91183209
Opposition No. 91183211
Opposition No. 91185592
Opposition No. 91185590
Opposition No. 91191603*
Opposition No. 91191605*

Optima Health Plan

v.

UnitedHealth Group
Incorporated

Elizabeth A. Dunn, Attorney (571-272-4267):

Opposer's consented motion (filed September 14, 2009) to add Opposition Nos. 91191603 and 91191605 (shown with an asterisk [*] in the caption) to the previously consolidated opposition is granted. See Fed. R. Civ. P. 42(a); and Trademark Trial and Appeal Board Manual of Procedure (TBMP) §511 (2d ed. rev. 2004).

Oppositions Nos. 91191603 and 91191605 are hereby consolidated and may be presented on the same record and briefs. Opposition No. 91183209 is treated as the "parent" case. Once answers have been filed in each separate

Opposition No. 91183209 (parent)

proceeding, the parties need not file a copy of each paper in each consolidated case. A single copy of a paper, bearing the number of each of the consolidated cases in ascending order as shown in the caption, should be filed in the parent case. Consolidated cases do not lose their separate identity because of consolidation. Each proceeding retains its separate character and requires entry of a separate judgment. See Wright & Miller, Federal Practice and Procedure: Civil §2382 (1971).

Proceedings remains suspended until February 21, 2010 to facilitate settlement negotiations between the parties.

Upon resumption of proceedings, applicant's time to file an answer in Opposition Nos. 91191603 and 91191605 will be reset.
