

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

GMM/jmw

Mailed: December 7, 2015

Opposition No. 91193067 (parent)  
Opposition No. 91193068

*Heidelberg University*

*v.*

*Heidelberg University*

**Denise M. DelGizzi,  
Chief Clerk of the Board**

It has come to the Board's attention that the above-captioned proceedings involve common questions of law and fact and the parties are the same. When cases involving common questions of law or fact are pending before the Board, the Board may order the consolidation of the cases. *See* Fed. R. Civ. P. 42(a); *see also Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991); *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991). Accordingly, the Board, *sua sponte*, orders the consolidation of the above-captioned cases.

Opposition Nos. 91193067 and 91193068 are hereby consolidated.<sup>1</sup> The consolidated cases may be presented on the same record and briefs. *See Helene Curtis Indus. Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989); *Hilson Research Inc. v. Society for Human Resource Mgmt.*, 26 USPQ2d 1423 (TTAB 1993).

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<sup>1</sup> The parties should promptly inform the Board of any other related Board proceedings, so that the Board can consider whether further consolidation is appropriate.

The Board file for these consolidated cases will be maintained in **Opposition No. 91193067** as the “parent case.” As a general rule, from this point forward only a single copy of any paper or motion should be filed in the parent case of the consolidated proceedings, but that copy should bear both opposition proceeding numbers in its caption.<sup>2</sup>

The parties are further advised that despite being consolidated, each proceeding retains its separate character and requires entry of a separate judgment. The decision on the consolidated cases shall take into account any differences in the issues raised by the respective pleadings and a copy of the final decision will be placed in each proceeding file.

In accordance with Board practice, discovery, disclosures, and trial dates are reset to adopt the latest dates set in the proceedings being consolidated. The Board notes that on November 12, 2015, Opposer concurrently filed in each proceeding a consented motion to suspend for settlement negotiations. Opposer’s motion is granted and proceedings are **SUSPENDED**.

Proceedings will resume without further notice or order from the Board, on the following schedule:

Expert Disclosures Due	<b>5/25/2016</b>
Discovery Closes	<b>6/24/2016</b>
Plaintiff’s Pretrial Disclosures	<b>8/8/2016</b>
Plaintiff’s 30-day Trial Period Ends	<b>9/22/2016</b>
Defendant’s Pretrial Disclosures	<b>10/7/2016</b>
Defendant’s 30-day Trial Period Ends	<b>11/21/2016</b>
Plaintiff’s Rebuttal Disclosures	<b>12/6/2016</b>

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<sup>2</sup> The Board notes that answers have been filed in each of the proceedings consolidated herein.

Plaintiff's 15-day Rebuttal Period Ends

**1/5/2017**

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.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

The parties are reminded of their continuing obligation to provide a report on the progress of the parties' settlement efforts to establish good cause for any further extension or suspension. Such report must include: a recitation of issues that have been resolved and issues that remain to be resolved, and a firm timetable for resolution. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.