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Filing date: **07/30/2010**

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

Proceeding	91194528
Party	Plaintiff IDOC Productions, Inc.
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Submission	Motion to Consolidate
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Date	07/30/2010
Attachments	IDOC v. BKC - Unopposed Motion for Consolidation of Opposition Proceedings.pdf (3 pages)(12237 bytes)

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

IDOC PRODUCTIONS, INC.,)	
)	Mark: BROADWAY KIDS CARE
Opposer,)	Serial No. 77/790,644
)	Opposition No. 91194526
v.)	
)	Mark: B'WY KIDS CARE & Design
BROADWAY KIDS CARE,)	Serial No. 77/790,645
)	Opposition No. 91194528
Applicant.)	

**OPPOSER'S UNOPPOSED MOTION FOR
CONSOLIDATION OF OPPOSITION PROCEEDINGS**

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, 37 C.F.R. § 2.104(b), and TBMP § 306, Opposer IDOC Productions, Inc. ("Opposer") hereby moves the Board to consolidate Opposition Nos. 91194526 and 91194528 (collectively, the "BROADWAY KIDS Oppositions").

Consolidation of these actions is appropriate because the BROADWAY KIDS Oppositions involve identical parties and common questions of law and fact, namely whether Applicant's applied-for marks are likely to cause confusion with Opposer's THE BROADWAY KIDS trademark, which is the subject of Reg. Nos. 1,957,281 and 2,661,833. Consolidation of the BROADWAY KIDS Oppositions will streamline the litigation, conserve resources of the parties and the Board, and eliminate unnecessary duplication.

Accordingly, Opposer respectfully requests the Board to consolidate the BROADWAY KIDS Oppositions for purposes of both discovery and trial and to reset a common schedule for discovery, testimony, and trial dates for the consolidated proceedings.

Counsel for Applicant, Ralph Gaboury, advised that Applicant does not oppose this Motion for Consolidation via e-mail correspondence to counsel for Opposer on July 23, 2010.

This 30th day of July, 2010.

Respectfully submitted,

/James A. Trigg/

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CERTIFICATE OF SERVICE

This is to certify that on July 30, 2010, a true and correct copy of the foregoing **Opposer's Unopposed Motion for Consolidation of Opposition Proceedings** was served on Applicant's attorney of record via electronic mail and first-class mail, postage pre-paid, and addressed as follows:

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