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

Mailed: January 27, 2011

Opposition Nos. 91194974
91196358

Promark Brands Inc.

v.

GFA Brands, Inc.

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

On January 13, 2011, opposer filed a motion to consolidate the above-identified proceedings. Opposer states that the parties had an agreement that opposer would file a joint motion to consolidate should the parties' settlement discussions prove, as they have, unsuccessful.

The Board has reviewed each of the above-identified oppositions. Both proceedings involve the same parties and at least some of the same questions of law and fact. An answer has been filed in both cases. Such answers are noted and entered.

When cases involving common questions of law or fact are pending before the Board, consolidation of such cases may be appropriate. (Proceedings may be consolidated upon

the Board's own initiative.) *See* Fed. R. Civ. P. 42(a); and TBMP §511 (2d ed. rev 2004). The Board finds it appropriate to consolidate the above-identified proceedings for purposes of judicial economy.

Accordingly, Opposition No. 91194974 and 91196358 are hereby consolidated and may be presented on the same records and briefs. The record will be maintained in Opposition No. **91194974** as the "parent" case, but all papers filed in these cases should include both proceeding numbers in ascending order.

The schedule is reset in accordance with opposer's request and is copied below:

Initial Disclosures Due:	2/11/2011
Expert Disclosures Due:	6/10/2011
Discovery Closes:	7/10/2011
Plaintiff's Pretrial Disclosures:	8/25/2011
Plaintiff's 30-day Trial Period Ends:	10/8/2011
Defendant's Pretrial Disclosures:	10/23/2011
Defendant's 30-day Trial Period Ends:	12/7/2011
Plaintiff's Rebuttal Disclosures:	12/22/2011
Plaintiff's 15-day Rebuttal Period Ends:	1/22/2012

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.

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