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Filing date: **09/21/2011**

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

Proceeding	91197669
Party	Plaintiff TYR Sport, Inc.
Correspondence Address	DONNA RUBELMANN RUBELMANN & ASSOCIATES PC 501 HERONDO STREET, SUITE 45 HERMOSA BEACH, CA 90254 UNITED STATES para@rubelmann.com
Submission	Other Motions/Papers
Filer's Name	Carla C. Calcagno
Filer's e-mail	cccacagno@gmail.com, para@rubelmann.com
Signature	/Carla C. Calcagno/
Date	09/21/2011
Attachments	91197669Motion to Consolidate.pdf (3 pages)(19591 bytes)

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

TYR Sport, Inc.)	
)	
Opposer)	
)	
v.)	Opposition Nos. 91197669 and 91197670
)	
)	
Marc Dushey.)	
)	
Applicant)	

TYR SPORT INC.'S STIPULATED MOTION TO CONSOLIDATE

The parties respectfully request that the Trademark Trial and Appeal Board consolidate Opposition Nos. 91197669 and 91197670 listed above.

As good cause for this motion, the parties respectfully ask the Board to note that these proceedings involve the same parties, and that the same or similar marks, issues, and goods are in dispute in each proceeding. Thus, granting this motion would advance the interests of judicial economy by permitting the parties to present their cases, and the Board to decide these cases, on the same record and briefs.

If this motion is granted, the parties request that the Board reset all discovery and trial dates, including the deadlines for expert disclosures and the discovery closure, so that they are consistent with the discovery and trial schedules in the least advanced proceeding, which is Opposition No. 91197669.

For the convenience of the parties and the Board, these dates are set forth below:

Time to Answer : CLOSED

Deadline for Discovery Conference : CLOSED

Discovery Opens : CLOSED

Initial Disclosures Due : CLOSED

Expert Disclosure Due : 10/08/2011

Discovery Closes : 11/07/2011

Plaintiff's Pretrial Disclosures : 12/22/2011

Plaintiff's 30-day Trial Period Ends : 02/05/2012

Defendant's Pretrial Disclosures : 02/20/2012

Defendant's 30-day Trial Period Ends : 04/05/2012

Plaintiff's Rebuttal Disclosures : 04/20/2012

Plaintiff's 15-day Rebuttal Period Ends : 05/20/2012

Dated: Sept. 21, 2011

Respectfully submitted,

By: Carla C. Calcagno
Calcagno Law, LLP
2300 M Street, N.W.
Suite 800
Washington, D.C. 20037

Donna Rubelmann, Esquire
Rubelmann & Associates, PC
501 Herondo Street, Suite 45
Hermosa Beach CA 90254

Attorneys for TYR Sport, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Stipulated Motion To Consolidate was served by first class mail, postage prepaid on:

Peter J. Vranum, Esq.
Gordon, Herlands, Randolph & Cox LLP
355 Lexington Avenue, 10th Floor
New York, NY 10017

this 21st day of September 2011.

/Carla Calcagno/