

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

Am

Mailed: September 26, 2011

Opposition No. 91197669

Opposition No. 91197670

TYR Sport, Inc.

v.

Marc Dushey

Cheryl S. Goodman, Interlocutory Attorney:

Opposer's consented motion (filed September 21, 2011) to consolidate proceedings is hereby granted. See Fed. R. Civ. P. 42(a); and Trademark Trial and Appeal Board Manual of Procedure (TBMP) § 511 (3d ed. 2011).

Opposition Nos. 91197669 and 91197670 are hereby consolidated and may be presented on the same record and briefs. Papers should bear the number of each of the consolidated cases, although Opposition No. 91197669 is treated as the "parent" case, and most of the papers filed by the parties, or issued by the Board, will be placed only in the file of the parent case. The parties need not file a copy for each consolidated case; a single copy, bearing the number of each consolidated case, normally is sufficient.

Consolidated cases do not lose their separate identity because of consolidation. Each proceeding retains its

Opposition No. 91197669 and 91197670

separate character and requires entry of a separate judgment. See Wright & Miller, Federal Practice and Procedure: Civil 3d §2382 (2009).

Trial dates, including the close of discovery, remain as indicated in Opposition No. 91197669 and copied below.

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

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.