

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

Mailed: December 3, 2013

Opposition No. 91200834
(Parent case)

Opposition No. 91203117

Chicago Cubs Baseball
Club, LLC

v.

United Services Automobile
Association (USAA)

Rochelle Adams, Paralegal Specialist:

Opposer's consented motion to consolidate the above opposition proceedings filed on September 12, 2013 is noted. Inasmuch as the parties to Opposition Nos. 91200834 and Opposition No. 91203117 are the same, and the proceedings involve common questions of law and fact involving defendant's mark, the Board finds that consolidation of the above-referenced proceedings is appropriate. Consolidation will avoid duplication of effort, and will thereby avoid unnecessary costs and delays.

Accordingly, Opposition Nos. 91200834 and 91203117 are hereby consolidated and may be presented on the same record and briefs. The record will be maintained in Opposition No.

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91200834 as the "parent" case. The Board notes initially that defendant has filed the answer in each proceeding for which consolidation is sought. See TBMP § 511. The parties should no longer file separate papers in connection with each proceeding, but file only a single copy of each paper in the parent case. Each paper filed should bear the numbers of all consolidated proceedings in ascending order, and the parent case should be designated as the parent case by following it with: "(parent)," as in the case caption set forth above.

Consolidated cases do not lose their separate identity because of consolidation. 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 shall be placed in each proceeding file. See Wright & Miller, Federal Practice and Procedure: Civil §2382 (1971).

The parties are instructed to promptly inform the Board of any other related cases within the meaning of Fed. R. Civ. P. 42.

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Opposer's consented motions¹ filed October 2, 2013 and October 28, 2013 to extend disclosure, discovery and trial dates are granted. Trademark Rule 2.127(a).

Such dates are reset in accordance with opposer's most recent motion filed on October 28, 2013 motion.

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 taking of testimony. Trademark Rule 2.125.

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

¹ The Board notes that the parties have filed the same motions in both cases in the parent and the newly created child case.