

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

Mailed: August 27, 2012

Opposition No. 91204897

Opposition No. 91204941

John G. Marino

v.

Laguna Lakes Community
Association, Inc.

**George C. Pologeorgis,
Interlocutory Attorney:**

It has come to the Board's attention that the above-captioned opposition proceedings involve common questions of law and fact and the parties are the same. When cases involving common questions of law or fact are pending before the Board, the Board may order the consolidation of the cases. See Fed. R. Civ. P. 42(a); see also, *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991) and *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991). Accordingly, the Board, *sua sponte*, orders the consolidation of the above-captioned proceedings.

In view thereof, Opposition Nos. 91204897 and 91204941 are hereby consolidated.

The consolidated cases may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v.*

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Suave Shoe Corp., 13 USPQ2d 1618 (TTAB 1989) and *Hilson Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1423 (TTAB 1993).

The Board file for these consolidated cases will be maintained in Opposition No. 91204897 as the "parent" case. As a general rule, from this point on only a single copy of any paper or motion should be filed in the parent case of the consolidated proceedings, but that copy should bear both opposition proceeding numbers in its caption. The only exception is that the answer to each notice of opposition must be filed in the respective corresponding proceeding.¹

The parties are further advised that despite being consolidated, each proceeding retains its separate character. 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.

In accordance with Board practice, discovery, disclosure and trial dates are reset to conform to the dates latest set in the proceedings that are being consolidated. In this instance, each of the consolidated oppositions is on the identical trial schedule.

¹ The Board notes that applicant has filed its answer in each of the proceedings consolidated herein.

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In view thereof, these now consolidated proceedings will proceed on the same trial schedule as set forth below.

Deadline for Discovery Conference	9/22/2012
Discovery Opens	9/22/2012
Initial Disclosures Due	10/22/2012
Expert Disclosures Due	2/19/2013
Discovery Closes	3/21/2013
Plaintiff's Pretrial Disclosures Due	5/5/2013
Plaintiff's 30-day Trial Period Ends	6/19/2013
Defendant's Pretrial Disclosures Due	7/4/2013
Defendant's 30-day Trial Period Ends	8/18/2013
Plaintiff's Rebuttal Disclosures Due	9/2/2013
Plaintiff's 15-day Rebuttal Period Ends	10/2/2013

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 Trademarks Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.