

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

VW

Mailed: April 3, 2013

Opposition Nos. 91205687 (parent)
91206135

David D'Amato

v.

ECHL, Inc.

**Robert H. Coggins,
Interlocutory Attorney:**

Now before the Board are applicant's motions for an extension of time (filed March 6, 2013, in each proceeding), and to consolidate (filed March 22, 2013, in each proceeding).

Extension

Applicant's motion for an extension of time to respond to opposer's second request for the production of documents is granted as conceded. Trademark Rule 2.127(a). In view thereof, applicant's responses are due April 7, 2013.

Consolidation

Applicant's consented motion to consolidate is granted. Fed. R. Civ. P. 42(a). Accordingly, Opposition Nos.

Opposition Nos. 91205687 and 91206135

91205687 and 91206135 are consolidated and may be presented on the same record and briefs.¹ The Board file will be maintained in Opposition No. 91205687 as the "parent" case. The parties should no longer file separate papers in connection with each proceeding; only a single copy of each paper should be filed by the parties in the parent case, and each paper should bear the case caption as set forth above. The parties should promptly inform the Board of any other related cases within the meaning of Fed. R. Civ. P. 42.

Schedule

Dates for these consolidated proceedings are reset on the schedule for the latest-filed case (i.e., Opposition No. 91206135). For the parties convenience, that schedule is reproduced below.

Discovery Closes	4/24/2013
Plaintiff's Pretrial Disclosures	6/8/2013
Plaintiff's 30-day Trial Period Ends	7/23/2013
Defendant's Pretrial Disclosures	8/7/2013
Defendant's 30-day Trial Period Ends	9/21/2013
Plaintiff's Rebuttal Disclosures	10/6/2013
Plaintiff's 15-day Rebuttal Period Ends	11/5/2013

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 taking of testimony. Trademark Rule 2.125.

¹ 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

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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.

issues raised by the respective pleadings and a copy of the final decision shall be placed in each proceeding file.