

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

am

Mailed: January 8, 2014

Opposition No. 91197255 (parent)
Opposition No. 91208732
Opposition No. 91208212
Cancellation No. 92053247

Johnson Controls Technology
Company and Johnson Controls
Hybird and Recycling GmbH

v.

VARTA Microbattery GmbH

**M. Catherine Faint,
Interlocutory Attorney:**

The parties joint motion (filed December 20, 2013, in all of the above-captioned proceedings) to consolidate and suspend is hereby granted. See Fed. R. Civ. P. 42(a); See TBMP § 511 (3d ed. rev. 2 2013).¹

Opposition Nos. 91197255, 91208732, 91208212 and Cancellation No. 92053247 are hereby consolidated and may be presented on the same record and briefs. All motions

¹ The Board notes that Opposition No. 91214215 may be related to this proceeding, however, jurisdiction has been restored to the examining attorney in that case. In the event that proceeding is resumed and the mark at issue is also involved in the arbitration proceeding, the parties should inform the Board.

and papers filed herein should caption all consolidated proceedings, identifying Opposition No. 91197255 as the "parent case" (see above), and should be filed only in the parent case.

Consolidated cases do not lose their separate identity because of consolidation. Each proceeding retains its separate character and requires entry of a separate judgment. See TBMP § 511 (3d ed. rev 2 2013).

Pursuant to the agreement between the parties and as indicated in the consented motion, proceedings herein are **SUSPENDED** pending the arbitration proceeding in the International Court of Arbitration of the International Chamber of Commerce, designated as Arbitration No. 198857/GFG.

Within **TWENTY DAYS** after the final determination of the arbitration proceeding, the parties shall so notify the Board and call this case up for any appropriate action. During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.
