

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

Mailed: April 25, 2013

Opposition No. 91210346
(parent)

Cancellation No. 92056978

Kimberly-Clark Global Sales,
LLC and Kimberly-Clark
Worldwide, Inc.

v.

McAirlaids, Inc.

Amy Matelski, Paralegal Specialist:

It has come to the Board's attention that Opposition No. 91210346 and Cancellation No. 92056978 involve the same parties, same and similar marks, and common questions of law and fact. It would therefore be appropriate to consolidate these proceedings pursuant to Fed. R. Civ. P. 42(a).

Consolidation is discretionary with the Board, and may be ordered upon motion granted by the Board, upon stipulation of the parties approved by the Board, or upon the Board's own initiative. *See, for example, Wright &*

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Miller, Federal Practice and Procedure: Civil §2383 (2004);
Regatta Sport Ltd. v. Telux-Pioneer Inc., 20 USPQ2d 1154
(TTAB 1991) (Board's initiative).

Accordingly, the above-noted proceedings are hereby consolidated upon the Board's own initiative, and may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989), and *Hilson Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1432 (TTAB 1993).

The Board file will be maintained in Opposition No. 91210346 as the "parent" case.

Registrant's motion (filed April 24, 2013) in Cancellation No. 92056978 to suspend the proceeding pending final determination of a civil action between the parties is hereby granted as well taken.¹ It is the policy of the Board to suspend proceedings when the parties are involved in a civil action, which may be dispositive of or have a bearing on the Board case. See Trademark Rule 2.117(a).

Accordingly, the consolidated proceedings are suspended pending final disposition of the civil action between the parties.

¹ Respondent's change of correspondence address, dated April 12, 2013 and petitioner's notice of appearance, dated April 22, 2013, filed in Cancellation No. 92056978 are noted and entered.

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Within twenty days after the final determination of the civil action, 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.