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

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Mailed: November 7, 2013

Opposition No. 91210715 (Parent)
Opposition No. 91210753

Transamerica Corporation

v.

Transtrend B.V.

M. Catherine Faint,
Interlocutory Attorney:

On September 26, 2013, opposer filed a motion, with applicant's consent to consolidate Opposition Nos. 91210715 and 91210753. The Board notes initially that applicant has filed its answer in each proceeding for which consolidation is sought. *See* TBMP § 511. The Board grants the requested consolidation, but suspends these proceedings as noted below.

Consolidation

The Board may consolidate pending cases that involve common questions of law or fact. 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). Inasmuch as the parties to the

respective proceedings are the same and the proceedings involve common questions of law or fact, the Board finds that consolidation of the above-referenced proceedings is appropriate. Consolidation will avoid duplication of effort concerning the factual issues and will thereby avoid unnecessary costs and delays.

In view thereof, opposer's motion to consolidate is hereby **granted**. Opposition Nos. 91210715 and 91210753 are hereby consolidated and may be presented on the same record and briefs. The record will be maintained in Opposition No. 91210715 as the "parent" case. 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. *See Dating DNA LLC v. Imagini Holdings Ltd.*, 94 USPQ2d 1889, 1893 (TTAB 2010). 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.

Suspension

It has come to the Board's attention that the parties are also involved in Cancellation No. 92057574. That case is suspended pending disposition of a motion to dismiss and a motion to consolidate all three of these proceedings. The Board may in its discretion suspend a proceeding pending a determination of another Board proceeding in which the parties are involved. *See, e.g., The Tamarkin Co. v. Seaway Food Town Inc.*, 34 USPQ2d 1587, 1592 (TTAB 1995) (suspended pending outcome of ex parte prosecution of opposer's application); *see also* TBMP § 510.02(a) (3d ed. rev. 2 2013). In view thereof, the Board **suspends** this proceeding pending disposition of the motions in Cancellation No. 92057574. The Board will resume proceedings as appropriate.

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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