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Filing date: **04/19/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91214578
Party	Plaintiff LeMans Corporation
Correspondence Address	PAUL J WILLIAMSON VOLD & WILLIAMSON PLLC 8251 GREENSBORO DRIVE, SUITE 340 MCLEAN, VA 22102 UNITED STATES trademark@vwiplaw.com
Submission	Motion to Consolidate
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Date	04/19/2016
Attachments	Motion to Consolidate.pdf(419392 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

LeMans Corporation,)	Parent Opposition No. 91214578
)	Mark: THORO
Opposer/Petitioner,)	Serial No. 85/956,925
)	
v.)	Opposition No. 91226723
)	Mark: THÖRÖ
LeMar Xavier Lewis,)	Serial No. 86/367,828
)	
Applicant/Respondent.)	Cancellation No. 92063552
)	Mark: THORO (Stylized)
)	Reg. No. 3,206,498

MOTION TO CONSOLIDATE

Pursuant to Fed. R. Civ. P. 42(a) and 37 C.F.R. §2.104(b) and 2.112(b), LeMans Corporation (“Opposer/Petitioner”) moves to consolidate the above-referenced parent proceeding Opposition No. 91214578 (“Opposition 1”) with Opposition No. 91226723 (“Opposition 2”) and Cancellation No. 92063552 (“Cancellation”) in the interest of judicial and pecuniary economy. Each of the proceedings sought to be consolidated involves: (i) the same parties, (ii) similar marks for similar coverage; and (iii) common issues of fact and law. See TMBP §511. The claims in all three proceedings allege a likelihood of confusion between THORO marks which are the subject of the filings made in the name of LeMar Lewis (“Applicant/Respondent”) with THOR marks owned by Opposer/Petitioner and a failure by Applicant/Respondent to demonstrate use of the subject THORO marks in commerce.

Consolidation is timely as the Answer deadlines have passed in both Opposition 1 and Opposition 2 and the Testimony Period has not opened in the parent proceeding Opposition 1. By way of status, Discovery closed in Opposition 1 on April 15, 2015 with pretrial disclosures

due May 30, 2016. An answer was due from Applicant/Respondent in Opposition 2 on April 16, 2016. While Applicant/Respondent served Opposer/Petitioner with a document labelled "Applicant's Response to Notice of Opposition" on April 16, 2016, Opposer/Petitioner notes that the document was not filed with the Board. Opposer/Petitioner filed the Cancellation on April 19, 2016.

There will be significant savings in time, effort and expense for all with the consolidation of these proceedings and there is no anticipated prejudice or inconvenience that may be caused by the consolidation of the proceedings.

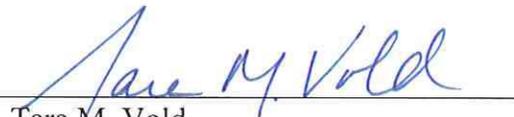
WHEREFORE, LeMans requests that the Board consolidate Opposition No. 91214578, Opposition No. 91226723 and Cancellation No. 92063552.

Respectfully submitted,

LeMans Corporation

Date: April 19, 2016

By:



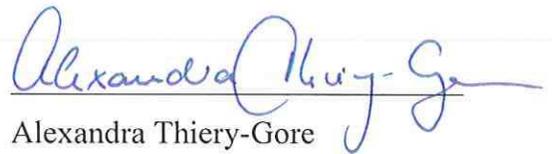
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Attorneys for Opposer/Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing MOTION TO CONSOLIDATE was served via email on this 19th day of April, 2016 to Applicant via email at the following address:

lemarlewis@hotmail.com


Alexandra Thiery-Gore