

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

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Mailed: August 18, 2016

Opposition No. 91217017

Pionetechs, Inc.

v.

Go Swiftly, LLC

Cancellation No. 92059504

Pionetechs, Inc.

v.

*Abiola Shobola, Alec Jeffery and
Olaleye Shobola*

(as consolidated)

Andrew P. Baxley, Interlocutory Attorney:

Plaintiff's motions (filed May 16, 2016) to consolidate the above-captioned proceedings are granted as conceded and as well-taken. *See* Trademark Rule 2.127(a); Fed. R. Civ. P. 42(a); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991); *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991); TBMP § 511 (2016). The consolidated cases may be presented on the same record and briefs. *See Hilson Research Inc. v. Society for Human Resource Mgt.*, 26 USPQ2d 1423 (TTAB 1993); *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989).

The Board file will be maintained in Opposition No. 91217017 as the "parent" case. As a general rule, from this point onward, only a single copy of any submission should be filed herein. That copy, however, should include both consolidated proceeding numbers in the caption thereof.

Despite being consolidated, each proceeding retains its separate character. The decision on the consolidated cases shall take into account any differences in the issues raised by the respective pleading; a copy of the decision shall be placed in each proceeding file.

Plaintiff's motions (filed May 16, 2016) to present testimony by declarations do not indicate Defendants' written agreement to such presentation and are therefore denied. *See* Trademark Rule 2.123(b); TBMP § 703.01(b). The parties may, however, take, and appear for, testimony depositions by telephone. *See* Fed. R. Civ. P. 30(b)(4); TBMP § 703.01(h).

Plaintiff's motions (filed May 16, 2016) to suspend both proceedings for six months for settlement negotiations are granted as conceded. *See* Trademark Rule 2.127(a). Proceedings herein are suspended until November 15, 2016, subject to either party's right to request resumption at any time. *See* TBMP § 510.03(a).

If there is no word from the parties by the end of the suspension period, proceedings herein will resume automatically on November 16, 2016 under the following schedule.¹

Plaintiff's 28-day Trial Period Ends

12/13/2016

¹ The Board notes that Plaintiff filed its motions to suspend with twenty-eight days remaining in Cancellation No. 92059504, the more recently commenced consolidated proceeding. *See* TBMP § 511.

Defendant's Pretrial Disclosures Due	12/28/2016
Defendant's 30-day Trial Period Ends	2/11/2017
Plaintiff's Rebuttal Disclosures Due	2/26/2017
Plaintiff's 15-day Rebuttal Period Ends	3/28/2017

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 the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.