

ESTTA Tracking number: **ESTTA717223**

Filing date: **12/29/2015**

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

Proceeding	91224367
Party	Defendant Kathleen Kvalvik
Correspondence Address	ZINA YU BEITCHMAN & ZEKIAN P C 16130 VENTURA BLVD STE 570 ENCINO, CA 91436-2581 UNITED STATES dbeitchman@bzlegal.com
Submission	Motion to Consolidate
Filer's Name	Zina Yu
Filer's e-mail	zinay@bzlegal.com
Signature	/zy/
Date	12/29/2015
Attachments	APPLICANT'S CONSENTED MOTION TO CONSOLIDATE.pdf(16840 bytes)

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

EHARMONY, INC.,

Opposer,

v.

KATHLEEN KVALVIK,

Applicant.

Opposition No.: 91224132

Opposition No.: 91224133

Opposition No.: 91224367

**APPLICANT’S CONSENTED MOTION TO
CONSOLIDATE**

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, VA 22313

Applicant, KATHLEEN KVALVIK (“Applicant”), hereby submits the Motion to Consolidate to consolidate the above captioned proceedings (the “Motion” hereafter). The Motion is consented by the Opposer EHARMONY, INC. (“Opposer” hereafter). On December 16, 2015, the Board, *sua sponte*, ordered the consolidation of the Opposition No. 91224132 (for the mark “HARMONY GIRL”) and No. 912241333 (for the mark “HARMONY GUY”) on the ground that the proceedings involve common questions of law and fact and the parties are the same. (See TTAP’s December 16, 2015 Order). Similarly, Opposition No. 91224367 for the mark “HARMONY METHOD” also involves common questions of law and fact and the parties are the same as to the previously consolidated cases by the Board.

Based on the foregoing and pursuant to Fed. R. Civ. P. 42(a), the Applicant hereby submits consented motion to consolidate the above referenced proceedings. Pursuant to the Board’s December 16, 2015 order and the Board’s practice, discovery, disclosure and trial dates

are reset to conform to the dates latest set in the proceedings that are being consolidated. Accordingly, Applicant also requests that the Trial Schedule for the Opposition No. 91224367 for the mark “HARMONY METHOD” be reset to conform to the dates for the previously consolidated proceedings (Opposition No. 91224132 and Opposition No. 91224133).

On December 23, 2015, during the Discovery Conference for the Opposition No. 91224367 proceeding, Opposer consented to Applicant’s motion to consolidate all three proceedings.

Respectfully submitted,



DATED: December 29, 2015

Zina Yu
Beitchman & Zekian, P.C.
16130 Ventura Blvd, Ste 570
Encino, CA 91436
(818) 986-9100

Attorney for
Kathleen Kvalvik

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing APPLICANT'S CONSENTED MOTION TO CONSOLIDATE was mailed first-class, postage prepaid, to Lisa Greenwald-Swire, Fish & Richardson, P.C., P.O. Box 1022, Minneapolis, MN 55440, attorneys for Opposer, this 29th day of December, 2015.



Zina Yu
Attorney for Applicant,
Kathleen Kvalvik