

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

Mailed: January 16, 2007

Opposition No. 91168097  
Opposition No. 91172654  
Cancellation No. 92046246

CHANEL, INC.

v.

MAURIELLO, FRANK

**Frances S. Wolfson, Interlocutory Attorney:**

On September 21, 2006, in Opposition No. 91168097, opposer/petitioner Chanel, Inc. filed a motion to consolidate the above-captioned proceedings. Office records indicate no response thereto. When a party fails to file a brief in response to a motion, the Board may treat the motion as conceded. See Trademark Rule 2.127(a), and TBMP §502.04 (2d ed. rev. 2004).

In view thereof, Chanel, Inc.'s motion to consolidate is treated as conceded. Opposition Nos. 91168097 and 91172654 and Cancellation No. 92046246 are hereby consolidated and may be presented on the same record and briefs.

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 Wright & Miller, Federal Practice and Procedure: Civil § 2382 (1971).

Papers should bear the number of each of the consolidated cases, although Opposition No. 91168097 is treated as the "parent" case, and most of the papers filed by the parties, or issued by the Board, will be placed only in the file of the parent case. The parties need not file a copy for each consolidated case; a single copy, bearing the number of each consolidated case, normally is sufficient.

Trial dates, including the close of discovery, are reset as indicated below. The parties are allowed until THIRTY DAYS from the mailing date of this order to respond to any outstanding discovery requests.

DISCOVERY PERIOD TO CLOSE: **March 31, 2007**

30-day testimony period for party in the position of plaintiff to close: **June 29, 2007**

30-day testimony period for party in the position of the defendant to close: **August 28, 2007**

15-day rebuttal period for party in the position of the plaintiff to close: **October 12, 2007**

**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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.