

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

Mailed: July 3, 2007

Opposition No. **91175089**
Cancellation No. **92047067**

John D. Brush & Co., Inc.

v.

Stuhlbarg International Sales
Company, Inc.

Frances S. Wolfson, Interlocutory Attorney:

On April 13, 2007, John D. Brush & Co., Inc. filed a motion to consolidate proceedings Nos. 91175089 and 92047067. The motion is granted.

The proceedings may now be presented on the same record and briefs. Papers should bear the number of each of the consolidated cases, although Opposition No. 91175089 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.

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).

Trial dates, including the close of discovery, are reset as indicated below.

DISCOVERY PERIOD TO CLOSE: **September 1, 2007**

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

30-day testimony period for party in the position of the defendant to close: **January 29, 2008**

15-day rebuttal period for party in the position of the plaintiff to close: **March 14, 2008**

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.