

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

Mailed: August 14, 2009

Opposition No. 91190024
Cancellation No. 92050895

Noble Communications Company

v.

AFC Network Private Limited

George C. Pologeorgis, Interlocutory Attorney:

It has come to the attention of the Board that Opposition No. 91190024 and Cancellation No. 92050895 involve the same parties and common questions of law and fact. It would therefore be appropriate to consolidate these proceedings pursuant to Fed. R. Civ. P. 42(a).

Consolidation is discretionary with the Board, and may be ordered upon motion granted by the Board, or upon stipulation of the parties approved by the Board, or upon the Board's own initiative. See, for example, Wright & Miller, *Federal Practice and Procedure: Civil* §2383 (2004); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991) (Board's initiative).

Accordingly, the above-noted opposition and cancellation proceedings are hereby consolidated and may be presented on the same record and briefs.

The Board file will be maintained in Opposition No. 91190024 as the "parent" case. The parties should no longer file separate papers in connection with each proceeding. Only a single copy of each paper should be filed by the parties and each paper should bear the case captions as set forth above.¹

In accordance with Board practice, discovery and trial dates are reset to conform to the dates latest set in the opposition proceedings that are being consolidated. The Board notes, however, that in each of these now consolidated proceedings the parties filed a motion on August 14, 2009 to suspend the proceedings up to, and including, February 14, 2010 so that the parties may pursue settlement negotiations. Each of the motions to suspend is hereby granted.

Accordingly, these now consolidated proceedings are suspended until **February 14, 2010**, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

¹ The parties should promptly inform the Board in writing of any other related *inter partes* proceedings. See Fed. R. Civ. P. 42(a).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below, beginning with the deadline for initial disclosures.

Proceedings resume:	2/15/2010
Initial Disclosures Due	3/17/2010
Expert Disclosures Due	7/15/2010
Discovery Closes	8/14/2010
Plaintiff's Pretrial Disclosures	9/28/2010
Plaintiff's 30-day Trial Period Ends	11/12/2010
Defendant's Pretrial Disclosures	11/27/2010
Defendant's 30-day Trial Period Ends	1/11/2011
Plaintiff's Rebuttal Disclosures	1/26/2011
Plaintiff's 15-day Rebuttal Period Ends	2/25/2011

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.