

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

am

Mailed: September 17, 2010

Opposition No. 91194762 (parent)
Cancellation No. 92052435

The Saul Zaentz Company

v.

Arwin Bio-Tech (Taiwan) Co., Ltd.

Frances S. Wolfson, Interlocutory Attorney:

These cases now come up on petitioner/opposer's motion to consolidate filed August 5, 2010. No response was received from respondent/applicant in objection.

A review of the pleadings herein indicates that the parties are the same and the proceedings involve substantially identical questions of fact and law. It would therefore be appropriate to consolidate these proceedings pursuant to Fed. R. Civ. P. 42(a). Opposer's motion to consolidate is granted.

The consolidated cases may now be presented on the same record and briefs. *See, Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989). As a

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general rule, from this point on only a single copy of any paper or motion should be filed herein; but that copy should bear all proceeding numbers in its caption. The filings are to be made in the "parent" proceeding which is Opposition No. 91194762.

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 pleadings and a copy of the decision shall be placed in each proceeding file.

The parties are further advised that they are to periodically inform the Board if any subsequent oppositions are instituted which involves the same parties and the same issues.

Trial dates are reset as indicated below:

Initial Disclosures Due	10/15/10
Expert Disclosures Due	2/12/11
Discovery Closes	3/14/11
Plaintiff's Pretrial Disclosures	4/28/11
Plaintiff's 30-day Trial Period Ends	6/12/11
Defendant's Pretrial Disclosures	6/27/11
Defendant's 30-day Trial Period Ends	8/11/11
Plaintiff's Rebuttal Disclosures	8/26/11
Plaintiff's 15-day Rebuttal Period Ends	9/25/11

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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.