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

Proceeding	76596501
Applicant	Trustees of the Estate of Bernice Pauahi
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Submission	Motion for Consolidation
Attachments	Motion for Consolidation.pdf ( 3 pages )
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Date	01/27/2006

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

**In Re Application of: Trustees of the  
Estate of Bernice Pauahi Bishop**

**Marks: KAMEHAMEHA  
SCHOOLS 1887 IMUA**

**KAMEHAMEHA  
SCHOOLS 1887  
ALUMNI**

**Serial Nos.: 76/596501  
76/596503**

**Filed: 6/10/2004**

**Trademark Attorney: Steven W.  
Jackson**

**Trademark Law Office: 107**

**ON APPEAL**

**APPLICANT'S MOTION FOR  
CONSOLIDATION**

**APPLICANT'S MOTION FOR CONSOLIDATION**

Applicant Trustees of the Estate of Bernice Pauahi Bishop (hereinafter referred to as "Applicant"), by and through its undersigned counsel, files this motion for consolidation pursuant to TBMP § 511.

As grounds for this motion, Applicant states that:

On or about August 31, 2005, Applicant filed an Ex-Parte Appeal in conjunction with a

Request for Reconsideration for each of U.S. Appl. Serial Nos. 76/596501 and 76/596503. On September 14, 2005, the Board acknowledged the filing of the Ex-Parte Appeals and the Requests for Reconsideration, and thereafter, instituted both appeals, but suspended the proceedings in the appeals pending a determination of the Applicant's Requests for Reconsideration by the Examining Attorney.

In two separate Actions, both mailed on September 29, 2005, the Examining Attorney denied the Requests for Reconsideration. As of the date of this Motion, the Applicant has not received an order resuming the Ex-Parte Appeals or setting the schedule to file briefs for the Ex-Parte Appeals.

The two applications concern substantially the same marks - KAMEHAMEHA SCHOOLS 1887 IMUA (& Design) and KAMEHAMEHA SCHOOLS 1887 ALUMNI (& Design) for the same goods - and involve the same issue of whether the applicant's marks create a likelihood of confusion with the registered mark KAMEHAMEHA (U.S. Reg. No. 2035318).

The applicant and the Examining Attorney are the same in each appeal, and substantially the same arguments have been made by both parties for each of the marks concerning likelihood of confusion in the pleadings below.

In order to streamline both Ex-Parte Appeals with respect to the various deadlines that will be established by the scheduling order, counsel for Applicant is of the opinion that consolidation would benefit the applicant, the Examining Attorney and the Board when submitting documents in response to these future deadlines.

#### PRAYER

WHEREFORE, Applicant requests that the proceedings for the two Ex-Parte Appeals

referenced above be consolidated, and that the deadlines be set and the scheduling orders be mailed accordingly.

DATED: Honolulu, Hawaii, January 27, 2006.

Respectfully submitted,



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**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being electronically transmitted via the Electronic System for Trademark Trials and Appeals (ESTTA) to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on January 27, 2006.



Chad M. Iida