

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric Brunetti : BEFORE THE
Trademark: FUCK : TRADEMARK TRIAL
Serial No: 88308426 : AND
: APPEAL BOARD
Address: Eric Brunetti :
8033 Sunset Blvd.,
Suite 146 : ON APPEAL
Los Angeles, CA 90046

MOTION TO CONSOLIDATE

Applicant has proposed to register the marks:

FUCK (SN 88310900) in Class 035 for “Retail services in the nature of commercial information and advice for consumers in the choice of products and services; provision of information and advice to consumers regarding the selection of products and items to be purchased; provision of business advice and assistance in the nature of consumer information regarding the selection of goods; advertising for others; promotion of goods and services of others through provision of sponsored links to third party websites; direct marketing services; online trading services in which seller posts products to be auctioned and bidding is done via the internet; advertising and business management consultancy; Retail store services featuring a wide variety of consumer goods of others; retail store and online retail store services featuring accessories for cellphones and computers, audio disks, audio-visual disks, bags, bedding, books, cigarette lighters, clothing, decals, downloadable music files, downloadable audio-visual files, footwear, headwear, housewares, jewelry, sporting goods, stickers, sunglasses, towels, toys and watches; providing consumer product advice relating to a wide variety of consumer goods of others; commercial information and advice for consumers in the choice of products and services; providing business advice and commercial information relating to retail services; promoting the goods and services of others by providing a web site featuring links to third party retailers' websites”.

FUCK (SN 88308434) in Class 014 for “Jewelry, earrings, rings, bracelets of precious metal, ornamental lapel pins, jewelry in the nature of personal identification tags made of precious metal for wear by humans for decorative purposes, watches, watch bands, cases adapted for holding watches, watch straps”.

FUCK (SN 88308451) in Class 018 for “All purpose sport bags; All-purpose athletic bags; All-purpose carrying bags; Backpacks; Book bags; Carry-on bags; Carryalls; Duffel bags; Fanny packs; Luggage; Shoulder bags; Sports bags; Sports packs; Tote bags; Waist bags; Waist packs; Wallets”.

FUCK (SN 88308426) in CLASS 009 for “Carrying cases for cell phones; Carrying cases specially adapted for pocket calculators, laptops and cellphones; Cases adapted for mobile phones; Cases for spectacles and sunglasses; Cell phone cases; Spectacles and sunglasses”.

The four applications were originally assigned to two examining attorneys and have now been assigned to one attorney for consistent handling. In the applications, the examining attorneys refused registration pursuant to Sections 1, 2, 3, and 45 of the Trademark Act. The refusal has been made final, applicant's request for reconsideration has been denied, and applicant has appealed and filed an appeal brief.

The marks at issue are very similar and the issues in question are the same in the four cases. As *ex parte* appeals are pending in all four co-pending applications and the cases involve common issues of law and fact (namely, the cases involve identical marks, the same refusal, and the same or similar evidence), the examining attorney hereby requests that the referenced appeals be consolidated for purposes of efficiency. See TBMP §1214.

Similar motions are being filed concurrently for the appeal in the co-pending cases listed above.

Respectfully submitted,

/Curtis French/
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