

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



INTERNATIONAL NUTRITION COMPANY, :
:
:
Opposer, :
:
v. :
:
HORPHAG RESEARCH, LTD., :
:
Applicant. :
:

03-31-2003
U.S. Patent & TMO/TM Mail Rpt Dt. #3
Opposition No. 1152660

OPPOSER'S OPPOSITION TO CONSOLIDATION

Opposer, International Nutrition Company ("INC"), hereby submits its Opposition to consolidation of this Opposition with Cancellation No. 26,569 ("the cancellation"), as suggested by the Board in its Interlocutory Order mailed March 6, 2003.

Neither party has requested consolidation of this proceeding with the cancellation proceeding. As the proceedings are at very different stages, and are moving at very different paces, any savings of time, effort or expense to be gained by consolidation is outweighed by prejudice and inconvenience which will be caused by consolidation. Thus, consolidation should not be ordered.

INC respectfully submits that this proceeding should not be consolidated with the cancellation proceeding.

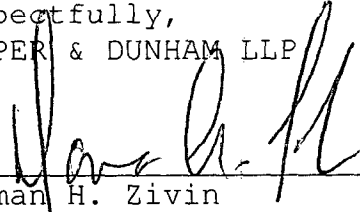
CONCLUSION

Based on the forgoing, Opposer submits that this Opposition proceeding should not be consolidated with Cancellation No. 26,569.

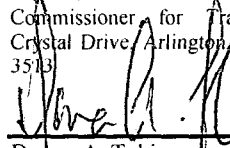
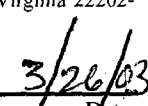
Dated: March 26, 2003

Respectfully,
COOPER & DUNHAM LLP

By: _____


Norman H. Zivin
Donna A. Tobin
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

Attorneys for Opposer
International Nutrition Company

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail addressed to: Asst. Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513	
 Donna A. Tobin	 Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing OPPOSER'S
OPPOSITION TO CONSOLIDATION was served by First Class Mail,
postage prepaid, this 26TH day of March 2003 to:

Marvin S. Gittes
Michael A. Adler
GIBBONS, DEL DEO, DOLAN,
GRIFFINGER & VECCHIONE
One Pennsylvania Plaza, 37th Floor
New York, New York 10119-3701

A handwritten signature in black ink, appearing to read "Michael A. Adler", is written over a horizontal line.