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Apr. 30, 2003
Date of Deposit
Thomas M. Williams
Name of applicant, assignee, or Registered Representative
[Signature]
Signature
Apr. 30, 2003
Date of Signature

[Redacted]
05-05-2003
U.S. Patent & TMO/TM Mail Rcpt dt. #22

Our File No. 10710/146

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

**In the Matter of Serial No. 75/831,328
For the Mark: Miscellaneous Design**

Ryobi Technologies, Inc.,)
Opposer)
)
v.) **Opposition No. 154,065**
)
Milwaukee Electric Tool Corporation,)
Applicant)

**STIPULATED REQUEST FOR CONSOLIDATION AND
SUSPENSION OF OPPOSITION PROCEEDINGS**

BOX TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Opposer Ryobi Technologies, Inc. ("Opposer") and Applicant Milwaukee Electric Tool Corporation ("Applicant") hereby jointly request the Board to consolidate Opposition No. 125,192 covering the mark MISCELLANEOUS DESIGN (Serial No. 75/831,346); Opposition No. 153,264 covering the mark MISCELLANEOUS DESIGN (Serial No. 75/830,887); Opposition No. 153,688 covering the mark MISCELLANEOUS DESIGN (Serial No. 75/830,880); Opposition No. 153,338 covering the mark

MISCELLANEOUS DESIGN (Serial No. 75/831,361); Opposition No. 153,733 covering the mark MISCELLANEOUS DESIGN (Serial No. 75/830,879); Opposition No. 153,447 covering the mark MISCELLANEOUS DESIGN (Serial No. 75/830,888); Opposition No. 155,459 covering the mark MISCELLANEOUS DESIGN (Serial No. 75/831,360); Opposition No. 154,328 covering the mark MISCELLANEOUS DESIGN (Serial No. 75/831,337); and Opposition No. 154,065 covering the mark MISCELLANEOUS DESIGN (Serial No. 75/831,328). Applicant has filed its Answer in each proceeding. These proceedings will involve common questions of law or fact. Consequently, consolidation is proper. *See* T.B.M.P. § 511. This stipulation will be submitted in each proceeding.

Additionally, Opposer and Applicant hereby jointly request the Board to suspend the above-captioned opposition proceeding pursuant to 37 C.F.R. § 2.117(c) and T.B.M.P. § 510.

The reason for the request to suspend is that the Applicant has nine (9) pending applications to register designs consisting of a red and black, or red and black and grey, color combination. One of these applications is the application at issue in this proceeding. The complete list of applications is as follows:

75/831,346 (Opposition No. 125,192)
75/830,887 (Opposition No. 153,264)
75/830,888 (Opposition No. 154,447)
75/831,361 (Opposition No. 153,338)
75/831,328 (Opposition No. 154,065)
75/830,880 (Opposition No. 153,688)
75/831,337 (Opposition No. 154,328)
75/830,879 (Opposition No. 153,733)
75/831,360 (Opposition No. 155,459)

Opposer has filed a Notice of Opposition against each application. All of these proceedings will involve common questions of law or fact. Applicant has now answered each Notice of Opposition and Applicant and Opposer have filed a stipulated request to consolidate all proceedings. See T.B.M.P. § 511. The parties hereby request the Board to suspend the above-captioned proceeding until such time as the proceedings are consolidated.

This stipulation is submitted in triplicate.

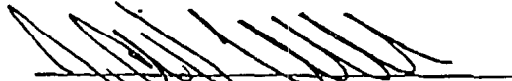
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Date of Deposit: April 30, 2003

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The Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Ryobi Technologies, Inc. v. Milwaukee Electric Tool Corporation
Mark: Miscellaneous Design
Serial No.: 75/831,328
Our Case No.: 10710/146

Dear Sir/Madam:

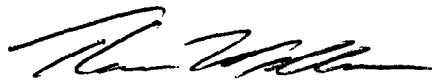
Enclosed for filing is the following document:

1. Stipulated Request for Consolidation and Suspension of Opposition Proceedings
(in triplicate).

The Assistant Commissioner is hereby authorized to charge payment of any additional filing fees required to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

If you have any questions, please contact the undersigned at the above telephone number.

Sincerely,



Thomas M. Williams

TMW/jlc
Enclosures

TTAB

BRINKS
HOFER
GILSON
& LIONE

A PROFESSIONAL CORPORATION
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