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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mail date: September 17, 2003

Opposition No. 125,371
Opposition No. 150,928
Opposition No. 153,446
Opposition No. 154,162
Opposition No. 154,172
Opposition No. 154,327
Opposition No. 154,663
Opposition No. 154,902
Opposition No. 155,458

S-B Power Tool Company

v.

Milwaukee Electric Tool
Corporation

Cheryl Butler, Interlocutory Attorney

These cases now come up on the parties' stipulated motion to consolidate and extend discovery and trial dates, filed April 28, 2003. The Board has reviewed each of the above-identified oppositions, and answers have been filed. Each proceeding involves the same parties and at least some of the same questions of law and fact.

When cases involving common questions of law or fact are pending before the Board, consolidation of such cases may be appropriate. See Fed. R. Civ. P. 42(a); and TBMP Section 511.

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Opposition No. 125,371; 150,928; 153,172; 153,446; 154,162; 154,327; 154,663; 154,902; and 155,458

The Board finds it appropriate to consolidate the above-identified proceedings.

Accordingly, the parties' stipulated motion to consolidate is granted, and Opposition Nos. 125,371; 150,928; 153,172; 153,446; 154,162; 154,327; 154,663; 154,902; and 155,458 may be presented on the same records and briefs. The record will be maintained in Opposition No. 125,371 as the "parent" case, but all papers filed in these cases should include all proceeding numbers in ascending order.

The parties' stipulated motion to extend discovery and trial dates is granted.¹ Dates are set as requested (repeated below):

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| DISCOVERY TO CLOSE: | September 26, 2003 |
| Testimony period for party in position of plaintiff to close (opening thirty days prior thereto) | December 25, 2003 |
| Testimony period for party in position of defendant to close (opening thirty days prior thereto) | February 23, 2004 |
| Rebuttal testimony period to close (opening fifteen days prior thereto) | April 8, 2004 |

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.

¹ In the event that any of the individual consolidated proceedings have other requests to extend time that have not been previously addressed by the Board, such extension requests are granted.

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Opposition No. 125,371; 150,928; 153,172; 153,446; 154,162; 154,327; 154,663;
154,902; and 155,458

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.
