

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Ryan

MAILED: April 2, 2003

Opposition No. 153,943 (parent)

Opposition No. 154,910

BPH Holdings Pty. Ltd.

v.

Rocket Speed, Inc.

Before Karyn K. Ryan, Interlocutory Attorney
Trademark Trial and Appeal Board.

CASES ARE CONSOLIDATED

On March 17, 2003, the parties filed a stipulated motion to consolidate Opposition Nos. 153,943 and 154,910. The motion to consolidate is **granted**.

Opposition Nos. 153,943 and 154,910 are hereby consolidated. See Fed. R. Civ. P. 42(a). The cases involve the same parties and common issues of law and fact. Consolidation therefore is in the interests of judicial economy and the orderly presentation and decision of these cases.

The cases shall retain their separate characters, but may be presented and decided on the same record and briefs. Opposition No. 153,943 is hereby designated the "parent" case in which all papers pertaining to the consolidated proceedings shall be filed.

Opposition Nos. 153,943 and 154,910

However, both proceeding numbers must be included in the caption of every paper filed. See the caption of this order as an example.

The parties also stipulated to a motion to suspend these proceedings and to reset the dates pending Board action on the consolidation issues. The motion is **granted** to the extent that the close of discovery and all trial dates in these consolidated proceedings are reset as indicated below.¹

DISCOVERY PERIOD TO CLOSE:	September 16, 2003
30-day testimony period for party in the position of plaintiff to close:	December 15, 2003
30-day testimony period for party in the position of the defendant to close:	February 13, 2004
15-day rebuttal period for party in the position of the plaintiff to close:	March 29, 2004

* * * * *

¹ **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. 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.

If the parties seek any further extensions to the trial schedule in this case, any future consented motions to extend should set forth all dates in the format shown in this order. See Trademark Rule 2.121(d).