

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

U.S. Trademark Application Serial No. 76/357,296
For the Trademark: SNUGGLES

U.S. Trademark Application Serial No. 76/331,212
For the Trademark: SNUGGLES

U.S. Trademark Application Serial No. 76/331,211
For the Trademark: SNUGGLE-UPS



03-30-2004
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

.....
CHESEBROUGH-POND'S INC. and
CONOPCO, INC. d/b/a LEVER BROTHERS
COMPANY, INC. and UNILEVER,

Opposers,

v.

PHOENIX INTANGIBLES HOLDING COMPANY,

Applicant.
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: **OPPOSITION NO. 91159098**
: **OPPOSITION NO. 91154937**
: **OPPOSITION NO. 91154954**

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL EU671491675US, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, BOX TTAB - NO FEE, ARLINGTON, VA 22202-3514 ON THE DATE INDICATED BELOW.

By: *Rowena DeLeon*
ROWENA DELEON

Date: MARCH 30, 2004

Box TTAB NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202 3514

STIPULATED MOTION TO CONSOLIDATE PENDING OPPOSITIONS

Opposers move to consolidate the above-captioned pending Opposition Nos. 91154937, 91159098, 91154954 for purposes of trial and pre-trial proceedings.

Applicant has applied for Federal Registration of its trademarks SNUGGLES, SNUGGLES, and SNUGGLE-UPS, Application Serial Nos. 76/357,296, 76/331,212 and 76/331,211 respectively. Since all three cases are in the same procedural stage, (namely Answers have not been filed), involve identical parties and common questions of law or fact, the consolidation of the three proceedings is warranted.

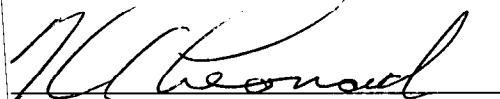
37 C.F.R. § 2.116(a) provides that procedure and practice in *inter partes* proceedings shall be governed by the Federal Rules of Civil Procedure wherever applicable and appropriate. Fed. R. Civ. P. 42(a) provides that when actions involving a common question of law or fact are pending before a court, that court may order all the actions consolidated. Counsel for Applicant, Phoenix Intangibles Holding Company, David Radack, has consented to this motion. Consolidation of the pending actions would cause no prejudice or inconvenience to either party, it would help the Board and the parties avoid the unnecessary duplication, thereby saving time, effort and expense.

In addition, Opposers and Applicant respectfully request that the discovery and trial dates in Opposition Nos. 91154937, 91159098, and 91154954, which are currently pending between the parties, be reset such that all proceedings may proceed on the same schedule. Counsel for the Applicant has consented to this request. This motion on consent is filed in triplicate.

Answers due	July 7, 2004
The period for discovery to close:	October 5, 2004
Plaintiff's thirty-day testimony period to close:	January 3, 2005
Defendant's thirty-day testimony period to close:	March 4, 2005
Plaintiff's fifteen-day rebuttal period to close:	May 3, 2005.

March 30, 2004
Date

Respectfully submitted,

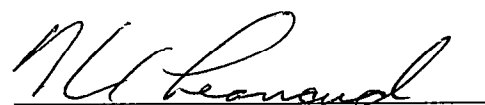


Kenneth C. Leonard
Attorneys for Opposers
Unilever HPC
33 Benedict Place
Greenwich, CT 06830
(203) 625-1381

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing STIPULATED MOTION TO CONSOLIDATE PENDING OPPOSITIONS was served on this 30th day of March, 2004 via first class mail, postage prepaid and addressed to counsel of record:

David V. Radack
Attorney for Applicant Phoenix Intangibles Holding Company
Eckert, Seamans, Cherin & Mellott, LLC
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Hub

March 30, 2004

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Assistant Commissioner for Trademarks
Before the Trademark Trial and Appeal Board
2900 Crystal Drive
Box No Fee
Arlington, VA 22202-3513

RE: In The Matter of Application Serial No. 76/357,296
Opposition No. 91159098
Trademark: SNUGGLES

In the Matter of Application Serial No. 76/331,212
Opposition No. 91154937
Trademark: SNUGGLES

In the Matter of Application Serial No. 76/331,211
Opposition NO. 91154954
Trademark: SNUGGLE-UPS

Dear Sir:

Enclosed please find an original and two copies of STIPULATED MOTION TO CONSOLIDATE PENDING OPPOSITIONS for filing in the above-referenced oppositions.

We also enclose a self-addressed, stamped postcard to be returned to us indicating receipt of the above documents.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Rowena S. DeLeon'.

Rowena S. DeLeon
Legal Assistant

Encl.