

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Taylor

Mailed: September 9, 2005

Opposition Nos. **91158348** and  
**91158473**

Daniel A. Mendoza

v.

Stephen J. Hornung

**Jyll S. Taylor, Attorney:**

**PROCEEDINGS CONSOLIDATED**

On March 11, 2005, opposer filed proof of service of its December 1, 2004 motion to consolidate. The record shows no response by applicant. Accordingly, opposer's motion to consolidate is granted as conceded and Opposition Nos. 91158348 and 91158473 are hereby consolidated. See Trademark Rule 2.127(a).

The consolidated cases may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989) and *Hilson Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1423 (TTAB 1993).

Inasmuch as the record in Opposition No. 91158473 is complete, the Board file will be maintained in Opposition No. 91158473 as the "parent" case. As a general rule, from

this point on only a single copy of any paper or motion should be filed herein; but that copy should bear both proceeding numbers in its caption.

Despite being consolidated, each proceeding retains its separate character. The decision on the consolidated cases shall take into account any differences in the issues raised by the respective pleading; a copy of the decision shall be placed in each proceeding file.

**PROCEEDINGS DOCKETED FOR FINAL DECISION**

It is also noted that opposer's counsel and applicant agreed in separate telephone conversations with Jyll Taylor, the interlocutory attorney assigned to this case, that the decision in these consolidated proceedings be rendered on the record in Opposition No. 91158473. Accordingly, no further testimony or briefs should be filed in Opposition No. 91158348.

Upon the mailing of this order, these oppositions will be forwarded for docketing for final decision.

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