

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3514

Mailed: June 17, 2004

Opposition No. 91156607
Opposition No. 91158385

Megalo Media, Inc.

v.

Kangaroo Court

Nancy L. Omelko, Interlocutory Attorney:

Opposition No. 91156607

On June 3, 2004, the Board issued a notice of default due to applicant's apparent failure to file a formal answer. In response, on June 16, 2004, submitted a copy of its answer, with certificate of mailing dated April 10, 2004. As such, the notice of default dated June 3, 2004 is hereby set aside and applicant's formal answer is noted.

Consolidation

It is the view of the Board that consolidation is appropriate inasmuch as the parties are the same and the two proceedings involve common questions of fact. Accordingly, Opposition Nos. 91156607 and 91158385 are hereby consolidated.

The consolidated cases may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13USPQ2d 1618 (TTAB 1989). 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 all proceeding numbers in its caption. Exceptions to the general rule involve stipulated extensions of the discovery and trial dates, see Trademark Rule 2.121(d), and briefs on the case, see Trademark Rule 2.128.

Because of the confusion concerning this proceeding, trial dates, including the close of discovery, are reset for this consolidated proceeding as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:	September 1, 2004
30-day testimony period for party in position of plaintiff to close:	November 30, 2004
30-day testimony period for party in position of defendant to close:	January 29, 2005
15-day rebuttal testimony period to close:	March 15, 2005

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.