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

Baxley

Mailed: November 23, 2005

Opposition No. **91157538**
Opposition No. **91157768**
Opposition No. **91158277**
Opposition No. **91158509**
Opposition No. **91158520**
Opposition No. **91158786**
Opposition No. **91159159**
Opposition No. **91164602**

The Pep Boys Manny, Moe & Jack of California

v.

Kent G. Anderson

(as consolidated)

Andrew P. Baxley, Interlocutory Attorney:

Applicant's consented motion (filed September 30, 2005) to extend discovery and trial dates in Opposition No. 91164602 is hereby granted to the extent modified by this order.

Opposer's consented motion (filed October 26, 2005) to consolidate the above-captioned proceedings and suspend them for settlement negotiations is hereby granted.[1]

The consolidated cases may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v.*

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[1] Opposition Nos. 91157538, 91157768, 91158277, 91158509, 91158520, 91158786, and 91159159 were previously consolidated in an April 28, 2004 order.

Suave Shoe Corp., 13 USPQ2d 1618 (TTAB 1989) and *Hilson Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1423 (TTAB 1993).

The Board filed will be maintained in Opposition No. 91157538 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 include in its caption all of the proceeding numbers set forth hereinabove.

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 herein are suspended until six months from the mailing date of this action, subject to the right of either party to request resumption at any time.[2] See Trademark Rule 2.117(c).

If there is no word from either party concerning the progress of their negotiations within the next six months, proceedings will resume automatically without further action by the Board. The parties will be allowed until thirty days from the date of resumption to serve responses to any

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[2] If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.

outstanding discovery requests. Discovery and trial dates will be reset under the following schedule.

PROCEEDINGS RESUME:	**05/22/06**
DISCOVERY PERIOD TO CLOSE:	**08/04/06**
Plaintiff's 30-day testimony period to close:	**11/02/06**
Defendant's 30-day testimony period to close:	**01/01/07**
Plaintiff's 15-day rebuttal testimony period to close:	**02/15/07**

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.